
MARYLAND

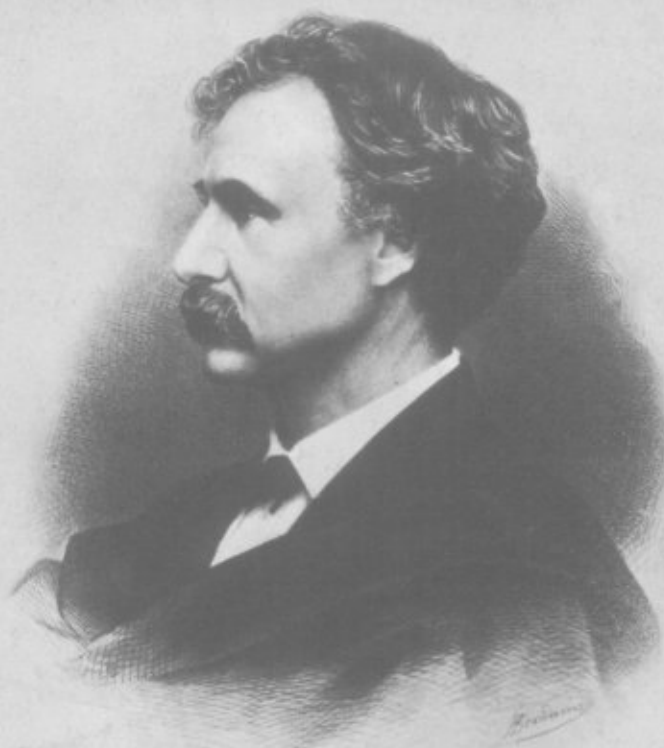
HISTORICAL MAGAZINE

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Henry Winter Davis (1817-1865)

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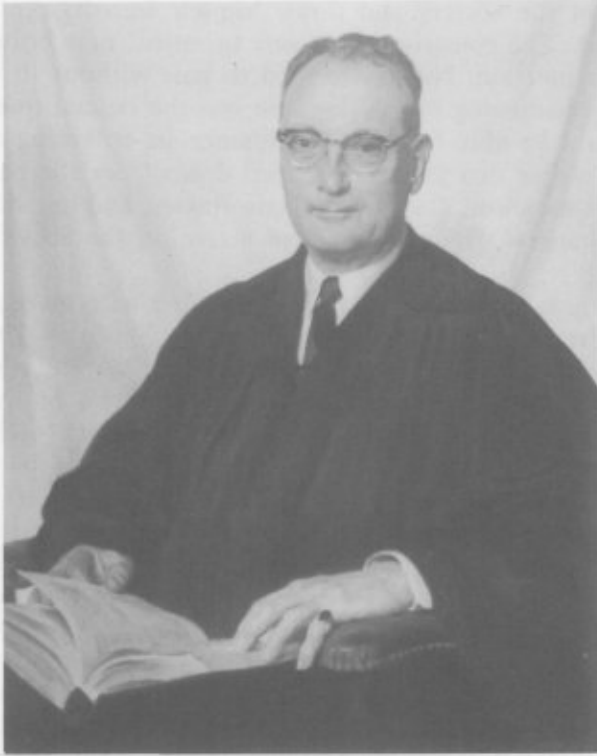
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MARYLAND
HISTORICAL MAGAZINE





Judge Frederick William Brune

IN APPRECIATION OF JUDGE FREDERICK WILLIAM BRUNE

It is always hard to lose a friend, especially one so full of the vigor of life. In mind and spirit Judge Brune was still young, alert to everything about him, tolerant of others, and possessed of a delicious, almost impish humor. There was no slackening in the sharp wit and joyous sense of fun that had long made him the best of company at law clubs and other informal gatherings. For him retirement meant no well-earned rest but only a change of form in his life-long commitment to community and State.

Of this the Maryland Historical Society was a major beneficiary. After

retirement as Chief Judge of the Maryland Court of Appeals he accepted the presidency of the Society and threw himself into its problems. It was a difficult period. The construction of our beautiful new building brought endless crises in its train. No day seemed to pass without its special emergency. And overshadowing everything else was the crucial question of how the Society would be able to meet and finance its enlarging activities and responsibilities. After two years he stepped down from the presidency, but the illness of his successor, Colonel William Baxter, had the effect of forcing him back into harness. He also remained active on the Society's governing Council.

Judge Brune was stricken, and apparently died without suffering, while walking home from his son's house on Saturday, February 19 of this year. Earlier in the day they had joined to clear away part of a tree that had fallen from his property into the street, brought down by the wet, heavy snow of the night before. He insisted on sharing the work, and the exertion may have contributed to his death. It was like him to be impatient to remove a possible hazard to his neighbors.

His ties with the Society were more than personal. His grandfather, Frederick William Brune (1813-1878), was one of its founders. Judge Brune's wife, the former Mary Washington Keyser, is a granddaughter of Mrs. H. Irvine Keyser who, as a memorial to her late husband, gave the Society the Enoch Pratt mansion and added a fire-resistant wing for the gallery and the library.

Judge Brune was a principal speaker at the dedication of the new Thomas and Hugg Memorial Building on October 15, 1967, but from his remarks no one would have guessed the significant part he had played. Instead, he channeled the credit to Abbott L. Penniman, Jr., as Chairman of the Building Committee, without whom, he said, the building could not have been completed. He also composed the gracious tribute to Mr. Penniman that appears on the bronze plaque inside the entrance. The credit was eminently deserved, but those active in the Society knew only too well that much of the praise was due himself. Mr. Penniman who, like the Judge, is an individual of extraordinary dedication and generosity, would no doubt put the matter much more strongly.

Born in Baltimore October 15, 1894, he was the son of Frederick William and Blanche (Shoemaker) Brune. He had two older sisters but was the only son, and was the fourth Frederick William Brune in direct line in this country. Both his father and grandfather were distinguished lawyers and members of the leading Baltimore firm of Brown & Brune. This had been established in 1839 by his grandfather and George William Brown, Baltimore's courageous Mayor at the outbreak of the Civil War, and later Chief Judge of the Supreme Bench of Baltimore.

Judge Brune's parents died before he was five, his mother in 1898 and his father in 1899. For a time he lived with his grandmother Brune in a large white house that stood well back from North Avenue, between Charles and Maryland, where the North Avenue Market was later constructed. Dr. Huntington Williams, Chairman of the Society's Library Committee, then lived at 803 Cathedral Street, and they used to walk to school together every day that weather permitted. They met in the morning at the corner of Charles and North and went to the Country School for Boys (now Gilman) in Homewood House on what is now the Johns Hopkins campus. Later they roomed together at Harvard, although for an interval they attended different schools.

After his grandmother's death, Judge Brune lived for many years with an aunt and uncle, the John J. Donaldsons, at 1033 North Calvert Street. It was a happy relationship. Mr. Donaldson, himself a distinguished lawyer, was like a father and, among other things, left him his excellent law library.

Judge Brune prepared for college at Marston's, and took his freshman year at Johns Hopkins before transferring to Harvard for his last three. Dr. Williams, known as "Hat," says that "Freddie," as the Judge was then called, had fully developed the humor and mischief that were to remain so characteristic of him throughout life. "Hat" had been promised a gold watch if he did not smoke until twenty-one, and this milestone arrived while they were at college. At the ensuing celebration Freddie ceremoniously presented him with a pipe loaded with tobacco and held out a lighted match. But "Hat" had by this time learned to be wary. He first emptied the pipe and there, sure enough, deep in the bowl, was a conglomeration of chopped rubber bands and hair.

Judge Brune received his B.A. from Harvard in 1915, and enrolled in its Law School. In 1917 he left to join the Norton Harjes Ambulance Unit, and drove Red Cross and Army ambulances in France, mostly in the vicinity of Chalons and St. Quentin. Later he transferred to U. S. Army Intelligence, with which he liked to say "he fought the war in Paris."

He returned to Harvard and took his LL.B. degree in 1920. He capped this by making a perfect mark on his Bar Examinations, the second person in Maryland history, and apparently the last, ever to do so. His legal career was equally distinguished. Financial success, plus presidency of the Baltimore City and State bar associations, was crowned with ten years as Chief Judge of the State's highest court. He stepped down from this in August 1964, two months ahead of the statutory retirement age of 70, so that his successor could be appointed in time to take over the reins before the commencement of the next term of court in September.

His retirement brought an outpouring of well wishes. Judge Reuben Oppenheimer, who knew him intimately, has written:

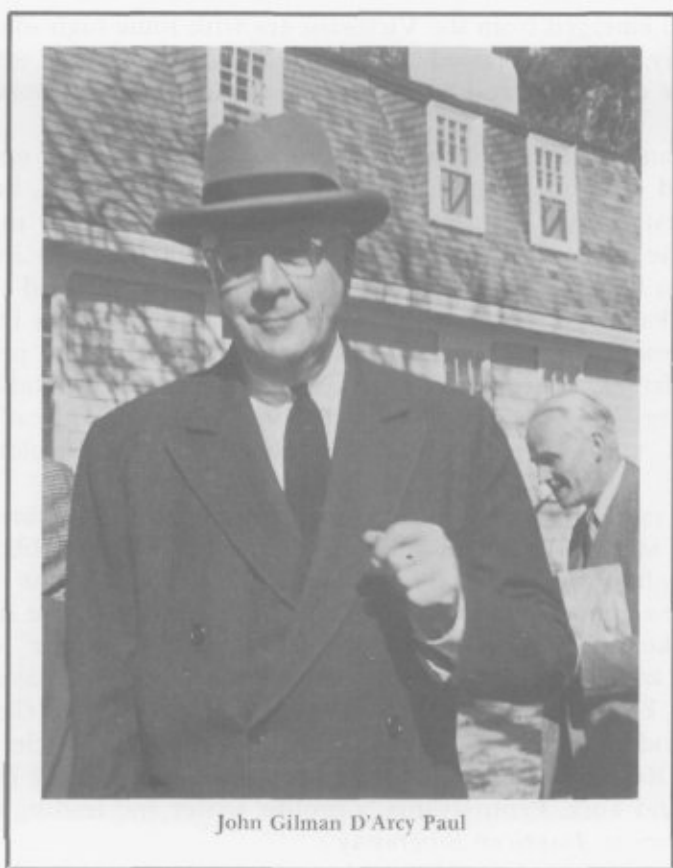
"Words cannot convey the special qualities which endeared him to those who knew him. He combined gentleness with quiet strength, an innate dignity with self-effacement. His wit could be devastating when presumption rasped, but he was the most patient and considerate of men. He dedicated himself utterly to any position to which he was called, without realization that it was he who gave the position its high significance.

"The characteristics which make a man a leader of the bar and an outstanding Chief Judge of the Court of Appeals were inherent in him. He personified the Maryland traditions of public service and courtliness."

After retirement the demands on Judge Brune were far greater than time would allow. In addition to the presidency of the Maryland Historical Society, and service on the governing boards of Goucher College, the City Hospitals, Union Memorial Hospital, and the Maryland School for the Blind, he performed a major public service as Chairman of a special State Commission on Criminal Law. He was still engaged in this arduous and time-consuming task at the time of his death, and had completed a draft of what Judge Oppenheimer has termed "a far reaching modern code." In due course it will become the basis for legislative action.

An individual often reveals himself in what he says of others. At a Federal court ceremony honoring the 85th birthday of Judge Morris A. Soper, Judge Brune said: "We admire you, we love you, and we are glad we were given the chance to tell you so." All but the last would have been equally applicable to him. No man was ever more greatly loved and admired. For many of us the great regret is that he was too innately modest and self-effacing to admit this to himself, and he never gave us a chance to tell him so.

H.H.W.L.



John Gilman D'Arcy Paul

JOHN GILMAN D'ARCY PAUL

EVERY age, even our own egalitarian epoch, has been greatly served by men of education and privilege whose role it was to cherish, enhance, and transmit to succeeding generations the cultural treasures of civilization. These were the patrons of the arts; the founders and benefactors of Royal Societies and Philosophical Societies, of libraries, Athenaeums, colleges, and museums; the creators of country estates which embodied the best of domestic architecture, interior decoration, landscape gardening, husbandry, and generous entertainment. This was a type primarily European but which flourished in our country in the Colonial period, prospered in the nineteenth

century, and emerged from the Victorian era with some high ideals of civic responsibility, civic pride, good taste, and good conduct, which were coupled with a sense of history and a desire to preserve what was worthiest from the past.

Such a man was John Gilman D'Arcy Paul, inheriting and exemplifying this role and outlook. Born in Baltimore, January 31st, 1887, he belonged from the first to that cultural tradition which had survived the commercialism of the nineteenth century and had been buttressed by its economic progress. On his father's side he was descended from the old Anglo-Irish families of Paul and Wentworth, magnates and civic leaders in Northern Ireland, whose American branch had come to Virginia in the person of his great grandfather, D'Arcy Paul, founder of a bank and of notable charities in Petersburg. Descent from the Cooke family, of "Mordecai's Mount," Gloucester County, Virginia, linked him also to some of the oldest families in that state.

From his mother's side came a further combination of business acumen, intellectual achievement, and religious feeling. Charlotte Abbott Gilman was the daughter of John Stratton Gilman, a descendant of the old Gilman family of New Hampshire and Maine, who was a partner in the Abbott Iron Works (makers of the armor for the ironclad ship "Monitor" during the Civil War), and President of the Second National Bank of Baltimore. Her mother was Eliza Weyl, daughter of the Reverend Charles George Weyl and a descendant of a long line of distinguished Lutheran clergymen, including the Reverend John George Schmucker (1771-1854), of Hagerstown, Maryland, and York, Pennsylvania, a prolific writer and leading theologian. (*cf. Dictionary of American Biography.*)

Such diverse strains of northern and southern inheritance no doubt played their part in forming Gilman Paul's character and accomplishments. He had a reserve and seriousness of purpose partly northern, relieved and softened by a southern love of wit, style, lightness of touch, and hospitality. This dual relationship was extended by his education—divided between Baltimore and Cambridge, Massachusetts—which gave him strong attachments to both sections of the country.

Education began at the Gilman Country School, which was established at "Homewood," the Carroll estate, in his time, and his fondness for the school led to various benefactions over the years. Home was chiefly "Woodlands," a large estate in Waverley, then quite far from Baltimore. The house, a great Italianate villa, stood on an eminence, the present site of the Baltimore City College, from which one could look across meadows to the bay. Surrounding it were spreading lawns, gardens, graperies, and greenhouses, from which, no doubt, a lifelong love of horticulture took its beginning. In these surroundings, also, he began to love and study music.

We get a glimpse of this childhood—somewhat meditative, perhaps a little isolated—in Mr. Paul's own article entitled, "Montebello, Home of General Samuel Smith," (*Maryland Historical Magazine*, Vol. 42, 1947, pp. 253-254), in which he wrote of "the mysterious deserted house in 'Garrett's Woods,' close to his home," that he had known from his earliest years:

"'Montebello' it was called. Its stucco walls, at that time, were streaked with huge water stains, its windows were like dead eyes; but in spite of this the old house had a dauntless gayety, proclaiming its courage and high breeding in language that even a child could understand. In spite of half-hearted efforts to keep them boarded up, the doors usually stood open to any chance trespasser, and so this small boy grew to know every inch of the echoing interior, by day and by night. In the shadows of what had been a stately dining room, he deeply relished the oval sweep of the walls; or, stepping out through a shattered window to the roof of the living room, he shared with a thousand noisy bumble bees the flowers of a great white wistaria that was methodically wrecking the delicate wooden railing. Looking out through the tangle of the vine, he could see the distant city of Baltimore, already advancing in a relentless tide of two-story houses that was soon to overwhelm the site of the old house and its majestic company of white oaks."

After such childhood years came Harvard, to which Gilman Paul gave a warm allegiance lasting a lifetime. The Russian language was his major, combined with other languages and English literature. He was awarded the Bowdoin Prize for a perceptive essay on Henry James. He was graduated, A. B., *Magna cum Laude*, in 1908.

There followed a year of special study in the Greek and Latin classics at Johns Hopkins University, and then work on the editorial staff of the Baltimore *Evening Sun*, where his desk was next to that of H. L. Mencken and he occasionally collaborated on Mencken's column. In 1910 he went to Guatemala as Attaché to the American Legation, and later to Buenos Aires for a year as private secretary to the American Minister, John Work Garrett, during which time he traveled widely in Brazil, Paraguay, and Chile.

Return to the United States brought a further year of post-graduate study at Harvard, where he received the degree of A.M. in the spring of 1914, together with an appointment as assistant in English under Professor Copeland. This was the famous "Copey," a man who became a legend in his own lifetime, and a career in education seemed opening for Gilman Paul under the best of auspices.

Events in Europe, however, were about to change the world. A few days after the opening of the college year 1914-15, there came an urgent summons to Paris, to work in the division of the American Embassy devoted to the

care of German and Austro-Hungarian interests in France, which had been confided to the United States on the outbreak of war. These duties involved extensive traveling in France, Germany, Tunisia, Algeria, and Morocco, inspecting internment camps for civil and military prisoners. A colleague and friend of those days was Herbert Haseltine, destined to become a famous sculptor. Another valued friendship was formed with Edith Wharton, the novelist; with her he collaborated on *The Book of the Homeless*, an effort to raise money in aid of Belgian refugees to which virtually every noted French and British writer of the time contributed.

This assignment came to an end in November 1915, and Gilman Paul returned to America, shortly thereafter becoming assistant editor of *The Atlantic Monthly* under its distinguished editor Ellery Sedgwick. His work consisted largely of translating articles contributed to the magazine from the original French, German, and Italian. In the fall of 1917, however, he was called to the American Legation in The Hague, as special assistant to the Department of State. A year later, in November 1918, he was transferred to Paris as a member of the American Commission to Negotiate Peace. There followed months of intimate involvement in historic events; busy, kaleidoscopic days, with their trivial or memorable incidents, from the time he stepped on Marshal Foch's foot, to the great moment when he was present at the signing of the Peace Treaty.

In July 1919, Gilman Paul returned home, to occupy himself with literary work (he translated the German text of Pribram's *Secret Treaties of Austria-Hungary*, brought out by Harvard University Press) and with travels in Central America and the Near East. In the fall of 1921, he was appointed secretary of the Conference on the Limitation of Armaments, in Washington, an experience of high-level diplomacy that he later wrote was "the greatest good fortune of my life."

Thereafter, Mr. Paul's career fell into a pattern of scholarly activity, civic and cultural benefactions, and country pursuits. In 1948, he wrote for the *Harvard Class of 1908, Fortieth Anniversary Report*, "Since settling down in Baltimore, I have become involved more and more deeply in various forms of public service, and I now find, with some surprise, that I am president of the Board of Trustees of the Baltimore Museum of Art; trustee of Johns Hopkins University and present chairman of its Building Committee; trustee of the Peabody Institute; vice-president of the Maryland Historical Society, etc., etc. When the rather full schedule imposed by these various institutions permits, I take great pleasure in the management of a 300-acre farm in Harford County, Maryland, where I should gladly spend more time than I do." Mr. Paul later became vice-president of the Peabody Institute and a trustee of the Peale Museum. At various times he was a member of the Baltimore Club, the Baltimore Country Club, the Hamilton Street Club,

the Bachelors' Cotillon, the Harvard Clubs of New York and Maryland, and the Walpole Society. As a lover of books, who himself amassed a remarkable collection, he was a Fellow of the Pierpont Morgan Library and a benefactor of the Widener Library, the Houghton Library, the John Carter Brown Library, and the Winterthur Library, among others. The choicest of his books—over nine hundred volumes—he bequeathed to the rare book collection of Johns Hopkins University, at "Evergreen," in memory of his friend, Mrs. John W. Garrett. The Houghton Library was also the object of one of his principal bequests.

In keeping with a retiring nature, Gilman Paul's benefactions were usually anonymous. They are too multitudinous to enumerate, particularly those to charities, but some indication must be given of their scope and usefulness to Maryland. They included many gifts to the Baltimore Museum of Art, an institution which he helped to guide during an important formative period of its history. His boyhood love of the oval dining room at "Montebello," already mentioned, bore later fruit in his furthering the acquisition of the "Willow Brook" room for that museum. The Walters Art Gallery and the Freer Gallery in Washington also received contributions to their collections of Oriental art.

For many years the Maryland Historical Society was a great beneficiary of numerous donations. To this Society he not only gave valued financial assistance, but also rare books, manuscripts (including a letterbook of Charles Carroll of Carrollton), 146 drawings and plans by John Davis and Benjamin H. Latrobe, Indian artifacts, furniture and office equipment, and many objects of artistic or historic interest. Among his gifts to the Society were portraits of Charles Calvert (1756-1774) by C. W. Peale; Charles Carroll of Annapolis, by J. E. Kuhn, 1712; John Pendleton Kennedy and John McTavish, by W. J. Hubard; and Richard Caton, by R. Caton Woodville. Mr. Paul contributed towards funds for processing the Harford County Papers and other special projects, and he took a great interest in acquiring the remarkable collection of Latrobe Papers for the Society. He was chairman of the committee responsible for interior decoration of the Thomas and Hugg Building and he assisted materially in transforming the old gallery into the present Rare Book Room. Even the exterior of the building shows his care for it, as the fence along Monument Street was his gift to the Society for protective and aesthetic reasons. In all these things he was motivated by a love of art and Maryland—for many years, on countless occasions, he declined to claim tax deductions for his benefactions.

Chief among Gilman Paul's interests was the preservation of Maryland's heritage of old and historic buildings. He took a leading part in initiating the preservation of "Hampton," the Ridgely home in Towson, now the Hampton National Historic Site, and beautified it with gifts of furniture,

books, and objects associated with its past or period, as well as advising on the general furnishing of the mansion. In Harford County he was largely instrumental in bringing about the creation of the Susquehanna River State Park as a means of preserving unspoilt countryside, and he was a prime mover in making the village of Rock Run the center of historical interest for the area. His efforts spurred the restoration of the old Archer house there, the miller's house, the toll house, and other buildings. For several years he assisted in organizing the Maryland House and Garden Pilgrimage and provided notes and articles for its brochures. His farm house at "Land of Promise," in Harford County, and his home in Baltimore became themselves perfections of their kind, adorned with the collections of a lifetime devoted to the arts, and their gardens were among the best expressions of his aesthetic sense.

During these years of fruitful activity, Gilman Paul continued to write numerous reviews, essays, and articles, many of which were published in this magazine. All display that felicity of style which gives charm to even the slightest of his writings. In his eightieth year, he translated into English and published Pelliot's French version of Chou Ta-Kuan's *Notes on the Customs of Cambodia*, a thirteenth century Chinese traveler's account of life in Angkor. To hear Mr. Paul at work on this project, dictating freely and easily a fluent, idiomatic translation, with never a glance at a reference book for even the most recondite terminology, was an impressive experience. During the preceding years he had traveled extensively in Asia—Japan, Cambodia, Thailand, India, Iran, Nepal, and Afghanistan—cultivating his taste for Oriental art. This last literary work was a fitting illustration of the wideness of his interests and activities.

John Gilman D'Arcy Paul died, after an illness of some two years, on January 12th, 1972.

In concluding this memoir, one can do no better than to return to the theme with which it opened: the contribution to art, education, and civic betterment such a life can make. He helped to preserve more of the past to enrich the future. And no better summary of his qualities exists than that provided by one of his oldest friends, Mrs. Bayard Turnbull, in a letter published in the *Baltimore Sun*, January 18th, 1972:

"Since he was deeply read, widely traveled, with an amazing memory, a keen sense of humor, an unflinching instinct for the best, the give-and-take of his conversation was a delight. Whether he left at one's door a book of Santayana's or an amaryllis about to unfold its perfect blooms, his was always a handing on of something beautiful that one would remember on one's way."

F.G.R.

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[2]

THE PLANTERS OF COLONIAL MARYLAND*

BY AUBREY C. LAND

IN all candor few of us can claim that we have looked squarely and honestly at the dominant type of colonial Maryland—the planter. Our classic histories of America have, understandably, condensed their statements of his life and condition to brief compass, but so brief as to be positively misleading. Unfortunately more specialized books on early America frequently select as representative planters only the wealthiest minority, again for the sake of brevity.¹ Unless he turns to monographic literature, written by scholars for scholars, the interested layman may never find a corrective for a one-sided view of colonial planters.

It is no wonder then that over the years a stereotype of this breed has evolved or that, once fixed, this stereotype has had an endurance of its own.

* This essay in somewhat different format was the Bernard Christian Steiner Memorial Lecture for 1970.

¹ Three texts of long standing, all however revised in this decade, illustrate the point. Curtis P. Nettels, *The Roots of American Civilization: A History of American Colonial Life* (rev. ed., New York, 1963), pp. 305-308, 329-337, 444, 448-449, 582 brings the lesser planters into the picture but chiefly deals with the "upper class." Max Savelle, *A History of Colonial America* (rev. by Robert Middlekauff, New York, 1964), pp. 421-423, 281-282, 333-337 moves the yeoman (small planter) out of the tidewater by the end of the seventeenth century and devotes attention to the wealthy plantation owners. Oliver P. Chitwood, *A History of Colonial America* (rev. ed., New York, 1961), p. 309 does brief justice to small planters. General texts that cover the whole sweep of American history are even greater sinners.

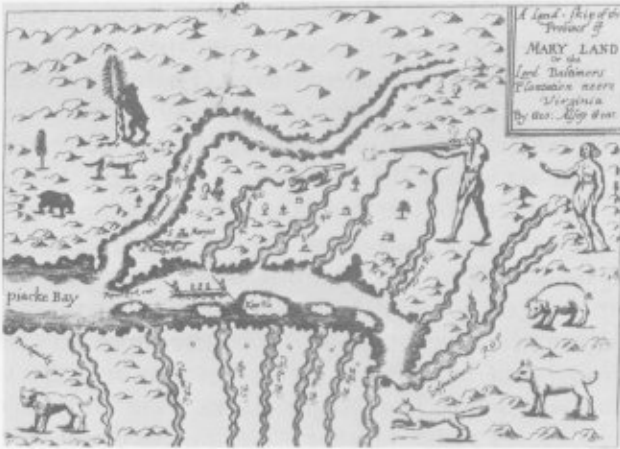
Such stereotypes may have—and the one of the planter does have—an aberrant effect, distorting reality more seriously than the old tintypes transformed our grandsires from human beings of normal appetites and attitudes into insufferable prigs perpetually posed with ramrods in their backs and right hands stuck in coat fronts. In time this picture comes to stand for the reality at the cost of crowding out the full round of activity in favor of a single pose. So with the planters, those graces of the leisurely life—hospitality, exquisite manners, magnificent libraries—and sumptuous surroundings—great houses, polished silver, ancestral portraits—beguile the eye with the superficially attractive and push the truly important into the background or out of view altogether. Thus flourishes what a distinguished scholar has called the moonlight and roses interpretation of the colonial South.²

This view of the planting society is open to two serious objections. First only a tiny fraction of planters conforms to these sumptuary standards and this level of gracious living. If such types had been the only planters, each county of early Maryland would have boasted no more than half a dozen or so planting families supported by hosts of Negro bondsmen: truly a society of masters and slaves. Common sense tells us there must have been other whites to make up an on-going society, but common sense does not clearly delineate those “others” or convey any definite idea of their life styles or their place in the scheme of things. Secondly, the moonlight and magnolias caricature distorts the lives of even the few great planters almost out of recognition. The tableau of the planter relaxing over a glass of old madeira, exchanging compliments or talking high politics with a neighbor while his wife furnished a background of minuets at the harpsichord belongs to fancy, not to real life. Whatever their qualities the planters were functional to the early Chesapeake. The truer picture emerges from the pages of Louis B. Wright’s chapter, “Agrarian Society and Leadership,” in *The Cultural Life of the American Colonies, 1607-1763* where we meet an aggressive, hard-working, rather materialistic type, not unlike the cotton planter in W. J. Cash, *The Mind of the South*.³

I propose here a rather unorthodox procedure in examining colonial planters. Let us omit from detailed discussion the elite group—the great planters of the stereotype—which is reasonably well known anyway and focus instead on the far more numerous planters who never make the textbooks and who do not merit individual biographies, or even sketches. The great planters were there of course and we should bear them in mind all along as part, a small fraction, of the planting society. But, instead of making them the center of discussion, let us turn the tables and concentrate on the for-

² Louis B. Wright, “Less Moonlight and Roses,” *The American Scholar*, XII, pp. 263-272.

³ Louis B. Wright, *The Cultural Life of the American Colonies, 1607-1763* (New York, 1957), pp. 1-22; W. J. Cash, *The Mind of the South* (New York, 1941), pp. 15-17.



A Land-skip of the Province of Maryland. By Geo. Alsop [1666] Reprint from Fund Publication no. 15 (1880). *Maryland Historical Society*

gotten or altogether unnoticed element. It follows from their very numbers, which run into many thousands, that the treatment must be collective, with characteristic features established by statistical methods.

To follow traditional historical practice in sketching the collective portrait of early Maryland planters, let us start at the beginning, back in the 1630's when the first colonists arrived in the southern Bay region. In the speech of the day they called themselves planters, or sometimes adventurers, using both terms in a meaningful sense. They were planting themselves and their families, adventuring their bodies in a wilderness. Every man, woman, and child was in this sense a planter: so they considered themselves and so their kin back home regarded them. Nothing in their physical setting remotely resembled the smiling fields, gracious mansion houses, and happy slaves conjured up by the phrase "plantation regime." Today we find it nearly impossible to reconstruct the scene of primeval Maryland without a Baltimore, Annapolis, or Salisbury, without even a cleared patch beyond the narrow strip of sand edging an, as yet, unpolluted Bay. Yet this is the picture held before our eyes in the most eloquent single sentence describing the early Chesapeake: "The whole country is a perfect forest."⁴

There you have it: grandeur enough to touch those English who remembered Elizabeth the Great, picturesque enough to stir their lively imaginations, and—be it said—intractable enough to challenge their utmost powers. Nowhere could they turn to butcher, baker, or candlestick maker as they could back home. For every convenience of life they depended on the

⁴ Hugh Jones, *The Present State of Virginia* (New York, 1865), p. 74.

tenuous sea link with England. No wonder they awaited the supply ships with anxious anticipation. As to the necessities they relied on the work of their hands, if not literally quite, then almost. To do the work of chain saw and bulldozer they had the broad ax and spade. With these and a few other simple tools the planters hacked out clearings in the perfect forest, put up tiny dwellings, and set about the business of making a living. Something of the feeling for this kind of life and labor comes through in the comment of a woman in the frontier vastness of central Brazil to an American historian just two decades ago, "Senhor, out here everything is hard." Early Maryland, we may be sure, had it no better, for neither the numerous poor nor the few who were relatively well-off. Of course those very few who had a little capital brought an indentured servant or two as extra hands for the heaviest and hardest labor. But Negro slaves were indeed rare because, wrote Governor Charles to his brother, "our purses could not endure it."⁵

These first planters were pioneers as truly as the men and women who won the west across the mountains or the trans-Mississippi region. In the process of pioneering they gave a new meaning to the word "plantation," which to Englishmen back home still meant some large general area—we would say colony—where adventurers or planters elected to settle: "our Virginia plantation," or "our Bermuda plantation," and now "our Maryland plantation." But the settlers themselves in the great area perched on the rim of Christendom gave to plantation a local and specific reference: those clearings in the woods here and there which could actually be planted to crops. This new reference, a functional one, is the embryo of the later stereotype, but the embryo only, for these earliest plantations consisted of no more than a few acres—five, or ten at most—plus surrounding woodland without very definite metes and bounds. On a single tract of, say, five hundred acres the owner might lay out three or four planted places or plantations for lease to landless men or for cultivation by his own indentured servants.

Now this is neither an enchanting picture nor even a very interesting one, though it has instructive features. What did these early planters accomplish? How did a different and more opulent order grow out of these primitive conditions? Both questions require answers if we are to see the Golden Age of colonial culture in proper perspective. The solid accomplishments of these seventeenth century planters hide behind a phrase of technical economics: capital formation. No one in those years, planter or bondsman, actually pronounced that phrase as the process itself dragged along in sweat and tears, and—occasionally—blood. This was the price paid for every acre won by clearing the primeval woodland, for every dwelling house and every curing barn erected, for fences put around planted fields (Maryland horses

⁵ Governor Charles Calvert to Cecil, Lord Baltimore, 27 April 1664, *Calvert Papers*, Fund Publication Number 28, Maryland Historical Society (Baltimore, 1889), I, p. 249.

developed astonishing appetites for tender young tobacco), for roads crude as they were, drainage ditches, for orchards planted, in short for all those things our colonial forebears lumped together under the heading "improvements." They created the wealth of the province, gave value to the wild country that had previously had none, provided the conditions for a viable economy. It seems almost short-changing these first two generations of planters, most of them nameless to history, to make of them mere instruments of a process: capital formation and capital improvement. Their performance was heroic.

Even heroism has its gradations. Some planters succeeded in fuller measure than others, for sheer brawn to clear more acres and raise bigger crops did not perfectly gauge the dimensions of success. Mind as well as muscle figured in advancement, and for good reason. Maryland planters had extended northward the tobacco culture they found among their Virginia neighbors and had committed their province to commercial agriculture with the concomitants of cash crop, market nexus, cargo assemblage, and—as it shortly proved—credit to first producers, the planters, upon whom a set of elaborate economic arrangements came to rest. Commercial operations require talents not given to all tillers of the soil, to men who grew tobacco, or in a word to planters. Some few of them had these special talents, the classic virtues of western capitalism which Jacob Fugger would instantly have recognized, and these few became a new breed, or more accurately half-breed, because they continued as planters while they also functioned as entrepreneurs. The seventeenth century, innocent of that technical term, simply called them merchants.

About these seventeenth-century merchants, or better merchant-planters, we would gladly know more: where they came from (apparently many, nearly all the earliest ones in fact, were immigrants), what capital resources they commanded at the outset of their business, who traded with them, what volumes of business they enjoyed.⁶ On most such questions surviving documents preserve tantalizing silence or at best give fragmentary information. But when the record has been compelled to yield its last shred of evidence, enough hard data are before us for a reasonably secure reconstruction. A figure emerges—literally comes into view—from the mass of small planters just below the level of visibility: for example William Worgan of Dorchester County. In the common law courts he is suing and being sued, frequently and for sums large enough to create a suspicion that we have before us someone outside the common run. Then after his death in late 1676 the

⁶ The Virginia merchant-planters are better known. William Byrd I and William Fitzhugh have been subjects of studies. Clifford Dowdey, *The Virginia Dynasties* (Boston, 1969), pp. 126-152; Richard B. Davis, *William Fitzhugh and his Chesapeake World, 1676-1701* (Chapel Hill, 1963).

clinching document is indited, the inventory of his goods and chattels compiled by two officials of the testamentary court, with appraisals of every article having the slightest value. The appraisers found ox and ass (or the Maryland equivalents), manservant and maidservant. They might well have been surveying the estate of Abraham or Jacob, or another patriarch of old whom the Lord had prospered. Certainly Worgan had done well: his total assets added up to the figure of 202,616 pounds of tobacco, the monetary unit most familiar to the appraisers, or the equivalent of £ 844-4-8 sterling money.⁷ But a curious imbalance must be explained: among these assets are debts due the estate, seventy-three in all, good debts that the administrators of the deceased could collect in court, because appraisers did not list among assets "doubtful" or "desperate" debt due from men who had "run away" or "left the province" and who could not be compelled to account. Altogether the sums due come to 143,246 pounds of tobacco, well over half the value of Worgan's personal estate. What we have here is the record of a merchant who had sold goods from his store—cloth, hoes, axes, sugar, and, it may be, rum—on credit to nearby planters, setting down on his ledger the sums due against the day of reckoning in the winter when their tobacco was ready for market. "Book debts," so the statutes described them, enabled planters like Worgan to get a special foothold in the growing economy of early Maryland, to distribute imports among consumers, to collect a dozen or so small lots of tobacco into a return cargo to the London consignment houses which had sent him manufactures in the first place.

As for planting, William Worgan did little more than his poorer neighbors. He owned no slaves; almost no one in Maryland did in 1677. His total labor force consisted of five indentured servants, one woman and four men. Even so he could count himself well off by comparison with planters in his parish or in the county. The overwhelming number of these—if 80 per cent is overwhelming—had neither servants nor slaves, lived in one-room houses, enjoyed net incomes of about £ 8 to £ 15 sterling a year from two or three hogsheads of tobacco raised with their own hands, and counted their entire visible estates at something less than £ 100. These planters were Worgan's customers, the milieu in which he lived, and his stature as economic man was greater than his neighbors by the height of mercantile business. Without them Worgan would not have been possible; without him their lot would have been sorry indeed. In economic terms Worgan must be accounted a success. And his fortune—for £ 800 was a fortune in Maryland of the 1670's—derived from his mercantile pursuits, not from his planting.

Clearly most others, the bulk of men in the neighborhood, had not prospered in the same way. From first days, when a band of some two hundred

⁷ Inventory of William Worgan, 4 January 1676/77, Inventories and Accounts, III, folios 7-21, Maryland Hall of Records, Annapolis.



Slave Quarters at Mulbury Fields, St. Mary's County. Ca. 1717. *Maryland Historical Society*

settlers huddled about St. Mary's City, population had pushed northward along the Western Shore and had jumped the Bay to people first Kent County and then in a single decade Talbot, Somerset, and Dorchester. Occupation and style of life changed little in these newer counties. New-comers still cleared out patches in the everlasting woods, built dwellings, put in a subsistence crop—corn and a kitchen garden—and planted a field of tobacco, the indispensable commercial crop. Such were the planters of seventeenth-century Maryland.

It is easy enough to grant the validity of this description for the seventeenth century, the decades after all of beginnings. The term, pioneer society, does very well for the first two generations—Maryland was exactly sixty-six years old in 1700—but surely does not apply to the great years of the eighteenth century, and certainly not to the Golden Age. Undeniably changes occurred. The population, which stood at 35,000 souls in 1700, grew to 150,000 in 1755 and to nearly 250,000 in 1776. The quantity of tobacco exported each year rose from 9,000,000 pounds of leaf in 1700 to 30,000,000 pounds in the middle 1770's.⁸ Whether these quantitative changes also indicate alterations in the texture of Maryland society remains to be determined.

To some questions that come to mind in this connection, answers can be given both clear and precise, but to others mere tentative suggestions subject to qualification and refinement. For example, our typical planter: is he

⁸ These are approximations. In the customs ledgers Maryland and Virginia are lumped together.

something rather different in the eighteenth century? Let the statistics tell us what they can. In the decade 1710-1719 about 84 per cent of Maryland planting families had a net worth in personality of £ 100 sterling or less, some so much less that the statutes denominated them paupers. A mere 0.7 per cent—fewer than one in one hundred—had a net worth of £ 1000 sterling or more, nearly all of them merchant-planters. The remaining 15 per cent lay in between, ranging from families with a good country living up to persons of considerable affluence, just short of the truly wealthy. Now skip a decade and apply this three-category scheme to the figures for the ten years, 1730-1739. The poorer element has dropped to about 73 per cent of the planting families; the most affluent has jumped to almost 2 per cent, or one family in fifty. And the middling group has grown to 25 per cent. Skip another ten years to the decade, 1750-1759. The percentage of top wealth remains constant (precisely 1.8 per cent), the middle bracket has advanced by six percentage points up to 31 per cent, and the lowest economic group has shrunk by the same amount, down to 67 per cent, almost exactly two-thirds of the total planting families.⁹

These figures seem significant to me. Taken with expanding population and increasing exports of tobacco they indicate healthy economic growth in which all sectors of the population shared. The chief beneficiaries, as we look back, were the great families: the Carrolls both Protestant and Catholic branches, the Taskers, Dulanys, Bordleys, the Garretts, Lloyds, Chews, Galloways, Ringgolds, and their kind. When compiled the list seems long, though the proportion of wealthy planters remained rather constant in the last few decades of colonial dependency. From their kind the stereotype of the colonial grandee, the great planter, has evolved. They left the gracious houses that still survive, portraits that preserve their likenesses, letters and papers from which later generations wrote their biographies. As a group they are attractive: wealthy, enterprising, economic and social leaders, and the political leadership as well. Altogether they are highly visible.

But the small planters still formed the bulk of the population, over two-thirds as late as 1760. From their circumstances they have become the invisible people of the Chesapeake. Portraits or even sketches of their kind we would not expect to find. The literary sources contain almost no descriptions of them. One famous exception from the pen of William Byrd of Westover in Virginia reads like a caricature, namely his description of Lubberland, which he puts down on the Carolina border remote from the proper Chesapeake scene.

⁹ Aubrey C. Land, "Economic Base and Social Structure: The Northern Chesapeake in the Eighteenth Century," *Journal of Economic History*, XXV, pp. 653-654 shows the figures for gross estates; net estates proved somewhat smaller, hence the larger percentages of those falling in lower brackets of wealth.

Surely there is no place in the World where the inhabitants live with less Labour than in North Carolina. It approaches nearer to the Description of Lubberland than any other, by the great felicity of the Climate, the easiness of raising Provisions, and the Slothfulness of the people. Indian Corn is of so great increase, that a little Pains will subsist a very large Family with Bread, and then they may have meat [pork] without any pains at all, by the help of Low Grounds and the great Variety of Mast that grows on the High-land. The Men, for their Parts, just like the Indians, impose all the Work upon the poor Women. They make their Wives rise out of their Beds early in the Morning, at the same time that they lye and Snore, till the Sun has run one third of his course, and dispersed all the unwholesome Damps. Then, after Stretching and Yawning for half an Hour, they light their Pipes, and, under the Protection of a cloud of Smoke, venture out into the open Air; tho' if it happens to be never so little cold, they quickly return Shivering into the Chimney corner. When the weather is mild, they stand leaning with both their arms upon the cornfield fence, and gravely consider whether they had best go and take a Small Heat at the Hough: but generally find reasons to put it off till another time. Thus they loiter away their Lives, like Solomon's Sluggard, with their Arms across, and at the Winding up of the Year Scarcely have bread to eat.¹⁰

The testimony of another witness—less flamboyant and soberer in tone—corroborates some of Byrd's more surprising statements, for instance that women did the real work. Philip Ludwell had met such women along the Carolina border when he made an earlier circuit of the same region in 1710. But he also confessed to finding them in Virginia proper, well above the border country. Quite obviously Ludwell admired the type represented by a Mrs. Jones, who made a particularly favorable impression on him.

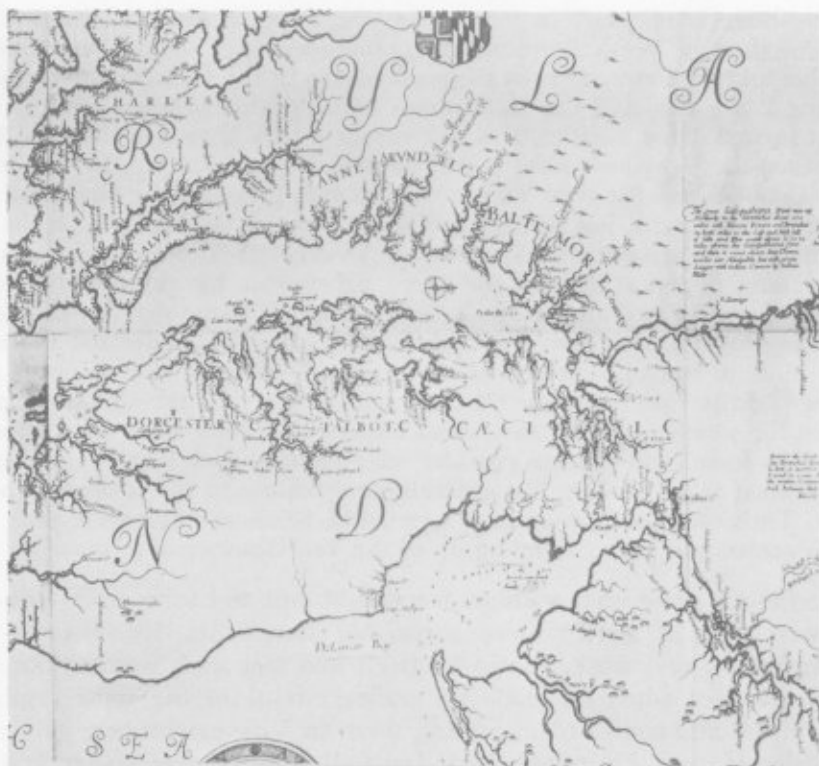
She is a very civil woman and shows nothing of ruggedness or immodesty in her carriage, yett she will carry a gunn in the woods and kill deer, turkeys, &c., shoot down wild cattle, catch and tye hoggs, knock down beeves with an ax and perform the most manfull Exercises as well as most men in those parts.¹¹

Byrd's Lubber and Ludwell's Mrs. Jones hardly sound like planters at all, yet they come closer to the "typical" than either Byrd, Ludwell, or their wives.

Where the literary sources fail other kinds of evidence help in reconstructing the small planter class. From one source alone, the Inventories and Accounts at the Hall of Records, the evidence is so abundant that the adjective, staggering, would not be an improper description. In a moment of enthusiasm I once characterized these thousands upon thousands of inventories as miniature biographies, a rather extreme claim possibly. And yet a

¹⁰ John Spencer Bassett, ed., *The Writings of Colonel William Byrd of Westover Esqr.* (New York, 1901), pp. 75-76.

¹¹ [Philip Ludwell], "Boundary Line Proceedings, 1710," *Virginia Magazine of History and Biography*, V, pp. 1-21.



Part of Augustin Herrman's Map of Virginia and Maryland, 1673. *Maryland Historical Society*

careful student can extract from them an astonishing amount of information without stretching the canons of inference too far. Technically the inventory is simply a list of every stick of property that belonged to the deceased with a money value attached to each item. A companion document, the account, furnishes details on settlement of the estate. Together these two entries in the records give essential data on the humblest planter in the province: when he died, whether he had a will, what he possessed, what debts he owed, often his children's names and ages, occasionally how he died (drowned in the Bay, for instance), and somewhat infrequently a description (lame, or "a most seditious person," or sickly). Inferences from these hard data speak to his style of life, his dress, his dietary habits, his husbandry, his diversions, and even his religious beliefs.

The very simplest inventories can be suggestive. When the appraisers inventoried the estate of John Miles of St. Mary's County in the early summer of 1698 they found the following:

| | |
|--------------------------------|--------|
| 2 cows & calves | 4-0-0 |
| 1 cow | 2-0-0 |
| 1 yearling | 1-16-0 |
| 1 breeding mare | 1-10-0 |
| 1 horse | 1-15-0 |
| 3 sows | 1-18-0 |
| 1 barrow hog | 0-10-0 |
| 1 iron pot | 0-7-0 |
| 1 pewter dish | 0-2-0 |
| 1 feather bed with furnishings | 1-1-0 |
| ready money | 0-4-6 |

15-15-6

The appraisers also noted that he had a crop which they estimated at 2000 pounds of tobacco and another 200 pounds of tobacco due from two of his debtors, the whole 2200 pounds valued at £ 9-3-4. Including these tobacco assets, Miles's gross worth was £ 24-28-10. Over half (fifty-two per cent) of this value was in livestock; more than a third in his tobacco crop. His personal and household effects comprised the barest necessities for cooking, eating, and sleeping. And yet he left over four shillings in ready money, a rarity among the poorer planters, those in the great majority with estates below £ 100.¹² How did Miles rank in the whole class? He was the median case. In the tabulation of all estates below £ 100 exactly as many planters with lesser estates appeared below him as those with larger estate above.

To modern eyes the Miles properties appear as a kind of irreducible minimum. Yet some planters had far less: the extreme case of Charles Jones of Charles County (d. 1716) has no parallel for brevity. Not even a change of clothing added an extra item to the inventory of his effects, which consisted solely of "one old unfixt gunn," appraised at five shillings. Jones was an indigent, at the very bottom of the pauper estates—defined by statute as estates valued at £ 10 or less—yet he was a free man with all the rights and privileges of his condition. Up the scale from Miles's position at dead center the number and quality of personal effects in inventories increased. Obviously William Richards of Kent County furnished a better house and set a better table than Miles.

| | |
|----------------------|--------|
| his wearing apparell | 1-10-0 |
| 11 ells of Dowlas | 0-16-0 |
| 6 yards Dred lynen | 0-3-0 |

¹² Inventory of John Miles, 30 May 1668, Inventories and Accounts, XVI, folio 31.

| | | |
|---|--------|--------|
| a small parcel cable lynen | 0-3-6 | |
| a small parcel of pewter | 0-7-0 | |
| 1 reall of fishing line | 0-1-0 | |
| Eight shillings & six pence in silver | 0-8-6 | |
| 1 sett of Silver Shift Buttons | 0-1-6 | |
| a few trifles in a chest | 0-3-0 | |
| ½ l. of thread | 0-1-0 | |
| ½ l. of candle wick | 0-0-6 | |
| 1 looking glass | 0-4-0 | |
| 1 very old feather bed with small furniture | 0-18-0 | |
| 1 gun | 0-12-0 | |
| 1 parcel of working tools | 0-4-0 | |
| 2 chests | 0-12-0 | |
| 1 small trunk | 0-4-0 | |
| 1 mill | 0-15-0 | |
| 1 Tun of Sider Casque | 0-10-0 | |
| 1 old bedsted | 0-2-6 | |
| 1 brass kettle | } | 1-0-0 |
| 1 skillet & skimmer ditto | | |
| 2 yrons | | |
| 1 frying pan | | |
| 1 pistle & pothangers | } | 0-1-0 |
| 1 sifter | | |
| 1 grindstone | | 0-2-0 |
| a parcel of feathers about 15 l. | | 0-11-0 |
| 4 barrells of corne | | 1-0-0 |
| 3 small pailles | | 0-4-0 |
| 1 old saddle | | 0-1-0 |
| 1 horse | | 3-0-0 |
| 1 young mare | | 1-15-0 |
| 1 horse colt | | 0-12-0 |
| 5 cowes & calves | | 9-0-0 |
| 4 cowes | | 5-10-0 |
| 2 steers of a yeare old | | 0-12-0 |
| 2 steers of 4 yeares old | | 3-10-0 |
| 1 steer of 4 yeares old | | 1-10-0 |
| 18 small shoats | | 0-9-0 |
| 5 breeding sows 1 spade ditto | | 2-10-0 |
| 6 young hogs | | 1-0-0 |
| 17 other shoats | | 1-0-0 |
| 220 li of tob in the hands of Mr. Jo: Copidge | | 0-18-4 |
| 409 li tobac in the hands of Robt Hill | | 2-0-10 |

| | |
|---|---------|
| 350 li tobac in the hands of Stephen Cooke | 1-9-2 |
| 100 li Ditto in the hands of Garrett Cavonder | 0-8-4 |
| 1 pr of womens shooes at | 0-3-0 |
| In silver | 0-2-3 |
| | <hr/> |
| | 46-16-3 |

This Inventory taken & appraised this 16th
Day of April 1694 given under our hands &
seales the Day Aforsd

Matt Earechson

Jo: Downy

The chests, trunks, household utensils, and tools all add small increments of value to the total. They also suggest a style of living further removed from the dearth of less fortunate neighbors. Still the bulk of Richards' wealth—nearly two-thirds of it—was in livestock. His sixty-seven head of horses, cows, and hogs came to £ 30-8-0. Other than the silver shift buttons and looking glass, the list contains nothing but the most practical household articles.¹³ Spartan might be too severe a description of the Richards' estate, but luxury is conspicuously absent.

Now these estates came to inventory just at the turn of the seventeenth into the eighteenth century, before the population changes and the rise in exports exerted their full effects. Yet a full generation later the probate records contain hundreds of exact analogues. The estate of James Ireland, Queen Anne's County, inventoried in March, 1730, at £ 20-10-2¾ parallels in all particulars the inventory of John Miles.¹⁴ At his death in 1735 John Darnall of Charles County had personalty valued at £ 36-10-7, with approximately the same sumptuary effects as William Richards though with fewer head of livestock.¹⁵ For most planters style and amplitude of living had changed little.

By comparison with the lowest economic class of the day in Western Europe these planting families were not worse off, though probably the Americans were not much better off either except in opportunity to rise in the social scale. The small planter's goods and chattels place him in circumstances that a later generation would call "deprived." His clothing, his tools, household furnishings, and his dwelling house all conform to that picture. Beside the clothing he wore to his grave the small planter's wardrobe included an extra shirt or two, some sort of breeches, possibly a hat. Intimate personal linen rarely appears among the effects of estates below £ 50 and extra boots and shoes almost never.

¹³ Inventory of William Richards, 16 April 1694, *ibid.*, XIII, folios 58-59.

¹⁴ Inventories, XXI, folio 22.

¹⁵ *Ibid.*, folios 31-32.

His tool chest was equally meagre: a chisel, a frow for riving shingles, occasionally a hammer or saw, and almost always the essential ax. Mallets for driving the frow were homemade affairs, clubs shaped from hickory or other hardwood, the work of a few evenings with a knife in winter. Whenever possible country folk contrived tools and utensils from materials at hand. Fortunately tobacco required only the hoe for hilling plants in the light friable Chesapeake soil. Small planters did not use the plow and its absence from inventories is noteworthy.¹⁶

Household furnishings show most vividly the rude simplicity of the small planter's life. A pot or pan and a skillet for cooking, with a large spoon or bowl for serving, often made up the kitchen utensils. Appraisers missed no article of value, not even an empty glass bottle or a cracked cup without a handle. Only ingenuity in turning to use nature's materials enabled the household to cook and eat in a civilized manner. Dried gourds took the place of cups and glasses; larger varieties served as bowls. Woodenware substituted for plates and platters and, in place of the fork, human fingers did the immemorial job in a fashion medieval peasants would have fully approved. A set of spoons—invariably pewter, when the family had them at all—were a treasure to descend to heirs, or when broken to be saved for remolding. Flock beds, a table of hewn plank on trestles, perhaps a trunk or sea chest that came with an immigrant grandfather completed the furnishings of many households.

The houses themselves could hold little more than essential furniture if the family was to have room to maneuver. Dwellings of small planters were functional, not ornamental. Larger houses boasted two rooms, but a single room with an adjoining leanto sufficed for most. Windows are described as "unglazed," which meant an aperture in the wall with a solid shutter to close out winter blasts. For such windows curtains were not merely unnecessary, they were a positive nuisance. In summer the family carried on its round of activities out of doors, by day under a shade tree, in the evening by moonlight before the front doorway. Patio living did not originate with the Hollywood "jet set" but among the plain folk of the colonial Chesapeake. Winter forced the family into the close, dark interior, where life focussed on the open fireplace. Here, at the clay or rough stone hearth, the cookpot simmered or game sizzled on the spit. By night burning logs furnished light and glowing embers warmed back and belly against evening chills.

A few of these primitive houses survived until the discovery of photog-

¹⁶ For comment on Chesapeake husbandry see my article, "The Tobacco Staple and the Planter's Problems: Technology, Labor, and Crops," *Agricultural History*, XLIII, pp. 69-81.



Leigh House, St. Mary's County. Courtesy of Mr. H. C. Forman, Easton, Maryland

raphy preserved them permanently for us in pictorial form.¹⁷ A handful still stand to counter disbelief. Most, of course, have perished, victims of fire—usually fatal in the country—storms, or slow decay. They were not built for the ages. Even the gentleman had housing requirements that seem meagre. Paul Sympson settled for “a fifteen foot house Square with a welch Chimney, the house to be floored and lofted with Deale boards, and lined with Riven Boards.” With food, clothing, and “all other Necessaries” added, these quarters were accounted “well beseeeming and fitting a Gentleman.” Certainly Sympson expected to drink like a gentleman, for he received—presumably among other necessaries—“one Anchor [8 imperial gallons] of Drams, a Tierce [42 gallons] of Sack and a Case of English Spirits” each year.¹⁸ Most planters had something less elegant for housing, often hardly more than a hut or leanto.

This is the small planter as the inventories show him, often a landless man who leased his plantation and who lived on the economic margin.¹⁹ Yet in some ways he fared well, at least if he had moderate initiative. His tiny cash income compelled him to provide nearly all of his family's subsistence. Almost all inventories list cattle, doubtless the sort his descendants in later generations called scrub cows. His hogs ran wild, feeding on mast until a few weeks before early winter killing time when he and his neighbors rounded them up, sorted them out by registered earmarks, and penned

¹⁷ The photograph of Leigh House gives an idea of the size of early houses, *St. Mary's City: A Plan for the Preservation and Development of Maryland's First Capitol* (St. Mary's City Commission, 1970), p. 19. Leigh House was several cuts above the flimsy construction of most small planter houses.

¹⁸ W. H. Browne, et al. eds., *Archives of Maryland* (Baltimore, 1883-), X, p. 302.

¹⁹ Leasing had its origins in the seventeenth century; on the pattern as it developed in the eighteenth century, see Aubrey C. Land, *Dulany's of Maryland* (Baltimore, 1968), pp. 98-102.

them for final fattening. Geese appear in some inventories and chickens, which went by the unlovely name "dunghill fowls," were common. Sheep hardly figured at all in small planter inventories. The hogs and cattle furnished the meat, fresh or salt according to the season. Plentiful game and waterfowl provided sport and dietary diversion. Bear had all but disappeared from the tidewater, but deer roamed field and woodland on both shores. Simple snares known to poachers back home since medieval times caught rabbits and small game. Turkeys fell to guns of pot hunters in all seasons, and geese or ducks in fall and winter.

The kitchen garden and a few fruit trees met family needs for fresh fruit and vegetables in season. Many leases specifically required the tenant to plant and tend a certain number of apple trees.²⁰ Enterprising housewives dried any surplus against winter months when turnip greens, parsnips or turnips were the only relief from meat and cereal foods until the early spring sun brought out fieldcress in last year's corn fields. That salad treat of today was the planter's common spring pot herb until still warmer days brought out poke salat. Cider came nearest being the common beverage of most planting households. Planters, somehow, without cider presses made and consumed many gallons annually. Quality varied but travelers found some of it excellent. Occasionally a household with pear trees made perry.²¹

The dietary staple in all households was maize and the cornfield was as common as the tobacco field in the clearings on small plantations. Easy to cultivate with hoe alone, corn had versatility beyond wheat and rye, which required the plow and yielded less bountifully. Corn could be eaten in the milky stage as ros'nears. When mature it made hominy in the whole grain or bread and mush when ground into meal. Making hominy posed no problem for even the poorest families: whole grains of dried corn soaked for a few days in lye water—itsself made at home by leaching woodashes—produced an article rather darker than the snowy mass that pours from the grocer's tins today but also more flavorful. Hominy could be served as whole grains or pounded into grits in a crude mortar and pestle.²² Corn meal, too, was often made at home by primitive methods doubtless learned from the Indian. Many planters hollowed out a sound hardwood stump to hold the corn and pounded it with a pestle hung from a bent sapling, which acted as a counterpoise. The product of this process, even with the coarsest bran sifted out, could not compare in texture with stone ground meal. But mills were not always close at hand and owners exacted a fee for

²⁰ For a typical lease see Aubrey C. Land, *Bases of the Plantation Society* (New York, 1969), pp. 40-42.

²¹ Hugh Jones compared Virginia cider favorably to the Hertfordshire product, Jones, *Present State of Virginia*, pp. 78, 138.

²² Hominy was not exclusively a poor man's dish. William Eddis says that wealthier planters also prized it, presumably as a side dish, Aubrey C. Land, ed., *Letters from America* (Cambridge, 1969), p. 67.



Alexander Hamilton. From Tuesday
Club Illustration, MS 854.
Maryland Historical Society

grinding. Millers took their toll of grain in lieu of money, which small planters seldom had.

If the literary sources generally pay little attention to small planters and their ways, a snippet here and there creates in the mind's eye what appears to be the whole scene. Dr. Alexander Hamilton of Annapolis left a snapshot of a couple he encountered on his horseback trip to the northern colonies for his health in the summer of 1744. When Hamilton rode up they had just sat down to their dinner, which he describes as "a homely dish of fish without any kind of sauce." He goes on:

They desired me to eat, but I told them I had no stomach. They had no cloth upon the table, and their mess was in a dirty, deep, wooden dish which they evacuated with their hands, cramming down skins, scales, and all. They used neither knife, fork, spoon, plate, or napkin because, I suppose, they had none to use. I looked upon this as a picture of the primitive simplicity practiced by our forefathers long before the mechanic arts had supplied them with instruments for the luxury and elegance of life.²³

²³ Carol Bridenbaugh, ed., *Gentleman's Progress: The Itinerarium of Dr. Alexander Hamilton, 1744* (Chapel Hill, 1948), p. 8.

Hamilton guessed right about knives, table-cloths, and napkins. Such luxuries never show up in inventories of their estates. Doubtless, too, their table manners lacked something in nicety. Indeed to gentlemen of the wealthier sort their whole style of life appeared coarse. Their pastimes included such sports as gander-pullings, cudgelling, and wrestling matches complete with eye-gouging, all familiar enough to the upper classes but beneath their participation, however much these gentle folk relished the cruder play as a spectator sport.

Economically the small planter combined in his person both the subsistence farmer and the commercial farmer. His subsistence husbandry fed his family, but the cash crop was essential. For, however barren his house of material goods, he had expenses: he paid tax and tythe, he consumed some foodstuffs that he could not produce, and he needed tools and clothing. For these necessities he turned to the local merchant, whose ledgers preserve an unmistakable picture of small planter transactions: the purchase of needles and thread, powder and shot, osnaburgs and woollens, and occasionally rum and sugar. The majority of these annual accounts amounted to less than £ 10.²⁴

To small scale producers the country merchant was more than a retailer of goods. He was the nexus with the market, that mysterious, faraway place across the Atlantic where the price of Chesapeake tobacco was fixed by mechanisms only dimly understood but somehow always operating to the disadvantage of first producer. Small planters did not consign their crops directly to the great merchant houses of England. Instead they conveyed their hogsheads to local merchants to cover advances of goods during the growing season. Each year, if he was fortunate, he paid up his book debts with his tobacco crop and started afresh.

That is to say, with reasonable luck he broke even. But fortune did not always hold. In bad years when drought, pests, or low prices cut the value of his crop the planter fell short in the annual reckoning and slipped into debt. A succession of hard years could reduce him to permanent debtor status. Sometimes the merchant sued, attached goods and chattels to satisfy judgment. Court records of early Maryland are a mass of debt collections. More often, however, merchants carried small debts from year to year, if the customer seemed reliable, then at the planter's death made a claim against the estate. In the thousands of probate settlements hardly an estate was closed without a claim by the local merchant.

Planters hopelessly in debt—particularly landless men who rented plantations—sometimes simply vanished with their scanty personal effects to take up residence in another province. William Byrd had found such persons

²⁴ Edward Dixon Ledger, 1743-1746, Manuscripts Division, Library of Congress, shows the situation for an analogous county in Virginia.

living along the Virginia-Carolina border, down in Lubberland. At one bivouac Byrd remarked of his host:

The Landlord was lately removed, Bag and Baggage, from Maryland, thro a Strong Antipathy he had to work and paying his Debts. For want of our Tent we were oblig'd to shelter our selves in this wretched house, where we were almost devoured by Vermin of various kinds.²⁵

Probate records and proceedings of the common law courts refer frequently to men who have "left the province," nearly always debtors. This geographical mobility served as a kind of safety valve when pressures threatened the flimsy fabric of property that was the portion of the very poor.

Perhaps it would be fair to say that the hopeless had geographical or horizontal mobility and the hopeful vertical mobility. Chronic ne'er-do-wells moved. A fraction of the planters in this huge class at the bottom worked their way to competence and a few to affluence. Thomas Bordley began with next to nothing; Daniel Dulany and Thomas Macnemara came to Maryland as indentured servants; Charles Carroll the Settler had very little. All rose to top wealth and position. No one was condemned permanently to the lowest stratum, but everyone in it was bound in some degree by the cycle of planting, which made returns barely sufficient to meet pressing needs for most families. With an annual income of £15 or less small planters had no real choice between consumption and either saving or investment. Movement upward in the economic scale patently depended on alternate or additional sources of income. The Carrolls and Dulanys made it as entrepreneurs: in iron works, land speculation, mercantile operations; the Garretts, Galloways, and Chews as merchants and shippers. For such as these the mechanisms of fortune are clear enough and matters of record.

Now at the risk of inviting comparison with the impresario who tried to stage *King Lear* without a Lear in the cast, I have proposed to omit detailed accounts of the top wealth, the 2 per cent that did so much to organize the Maryland economy and keep it running. Two considerations have persuaded me. In the first place a great deal is known about them. They were, to repeat, a highly visible element, a tiny but important fraction of the planting community, which historians and romancers have treated at length. Secondly, to my way of thinking the larger human context in which these great ones flourished deserves examination, not only because it is less well known and in some ways just as important, but also because it is easily misunderstood. A few years ago, when the composition and complexity of Chesapeake planting society was emerging from my research, I gave my class a lecture that included the burden of my remarks contained here, although in somewhat incomplete and

²⁵ Bassett, *Writing of Byrd*, pp. 31-32.

sketchy form. In the discussion period that followed, one of my students rocked my complacency with the question, "Why do you dislike the early planters?" From such flashes of misunderstanding the historian occasionally derives insight into the great problem of teacher and student. How do you explain to the uninitiated that substituting reality for fairyland does not necessarily imply dislike of the world and its people? How do you convey the idea that truthful representation is not condemnation, no matter how many romantic notions are shattered? The small planter belongs to the colonial scene as a vital element, whatever his circumstances and habits. Far from holding him in contempt, I admire him. Obviously my student did not, at least in my representation, but everyone must make his own judgment.

A fair assessment of the small planter element is not the easiest of tasks. His life style does not seem alluring. Yet Jefferson for one called him the chosen people, if God ever had a chosen people. Assuredly he had political influence, which he brought to bear on his leaders, the elected delegates to the assembly. Similarly in the economy his numbers counted. Individually his production was small but in the aggregate it became a force of magnitude, as any compiler of statistics will affirm. As the numbers pile up on the tabulating sheets the precise dimensions become clear. In the dry and often dreary chore of compilation a vision is sometimes vouchsafed the compiler, a feeling for the power of statistics and the reality subsumed under such abstractions as medians, means, and modes, which merge the particular, the extraordinary and individual, into the average, the typical. If in our reveries we take the mode, the most heavily peopled class on the scale, to establish the type, we get a result closer to truth than at first we can accept. For before us stands as the typical planter of early Maryland a very ordinary dirt farmer. Yet he is not without a dignity all his own, even a touch of grandeur, for his loins bear the seed of future generations and in the sweat of his brow he creates the conditions of their lives.

HENRY WINTER DAVIS AND THE ORIGINS OF CONGRESSIONAL RECONSTRUCTION

BY HERMAN BELZ

THE Wade-Davis bill of 1864 was the first of two comprehensive plans of reconstruction that Congress was able to agree upon in the long period from December 1860, when disruption of the Union became an accomplished fact, until the last Confederate states were readmitted in June 1870. Although by no means a complete expression of radical antislavery views on reconstruction, the bill was an important sign of political disagreement between the congressional and presidential wings of the Republican party. Prevented from becoming law by the executive pocket-veto, the Wade-Davis bill in large part rested on and expressed dissatisfaction with Lincoln's policy of reconstruction in Louisiana, though when first introduced it was also a vehicle for anti-administration tendencies, having the election of 1864 as their focus. Yet of greater significance than the evidence it offered of internal party conflict were the conception and application of national and congressional power that it contained and provided for. Based on a constitutional theory which regarded the rebellious states as disorganized political units lacking authentic republican governments, though still in the Union, the Wade-Davis plan insisted on the direct federal control over southern state reorganization that would finally be necessary in order to reconstruct the Union. And it proposed to effect the needed reorganization of secessia through the agency of state constitutional conventions, the method also utilized in the Military Reconstruction Act of March, 1867.

In retrospect, recourse to federally imposed conditions of reconstruction seems to have been obvious and necessary: how other than by direct application of coercive power could the Union be reestablished, in the face of southern recalcitrance and resistance? At the start of the war, however, and for several months thereafter, forced restoration to the Union did not seem the only, nor indeed the likely, course that reconstruction policy would take. On the contrary, Union men at the North hoped and for a considerable period expected that southern Unionism, belief in which had been a prominent feature of Republican thinking during the secession crisis,¹ would assert itself and restore the seceded states to the Union spontaneously and voluntarily once the military power of the rebellion was broken. Even radical plans to impose territorial governments on the South for the purpose

¹ David M. Potter, *Lincoln and His Party in the Secession Crisis* (New Haven, 1962), pp. 219-248.

of abolishing slavery, shared this assumption concerning the reorganization of loyal state governments. Reinforcing it was the weight of traditional federalism, the constitutional theory and practice of seven decades emphasizing the inability of the general government to interfere in the political organization and domestic or municipal affairs of the states.

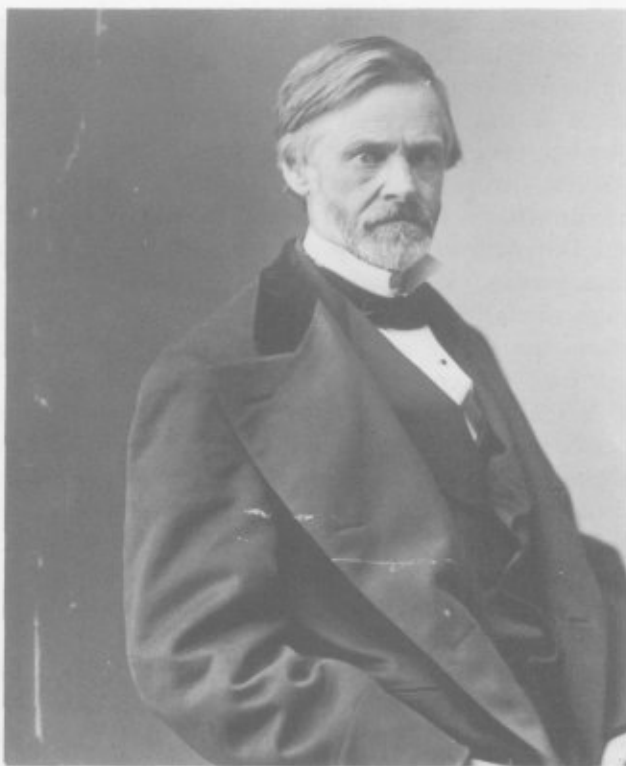
By the end of the war, as they entered upon the work of redefining the relationship between the states and the national government, Republicans were disabused of the illusion of southern Unionism. But awareness of this interrelated development had come much earlier, in 1863. It is this earlier moment, when the need for new constitutional relationships and the futility of southern Unionism were simultaneously recognized, that is our principal concern in this article. To examine the sources of the first congressional plan of reconstruction then is to explore the growing Republican belief in the need for direct national supervision of the reorganization of state governments in the South. Consideration of Wade-Davis origins affords an insight into Republican constitutionalism at the moment when those responsible for shaping its central tendencies were coming to accept the necessity of effective albeit temporary obliteration of traditional federalism, and unqualified national supremacy.

In one sense the origins of the Wade and Davis plan of reconstruction may be sought in the authorship of the bill. Henry Winter Davis, the brilliant and irascible Baltimore lawyer renowned for his oratorical abilities, is usually regarded as the architect of the measure. Davis had served in the Thirty-fourth and Thirty-fifth Congresses as a Whig before winning reelection in 1859 on the American party ticket. Defeated in 1861, he returned to Congress as a Unionist in 1863 and was instrumental in getting the House to create the Select Committee on the Rebellious States, of which he was appointed chairman.² It was from this committee, charged by the House with the duty of reporting legislation carrying into execution the constitutional guarantee to each state of a republican form of government, that Davis in February 1864 introduced the reconstruction bill that later came to bear his name. He subsequently managed the legislation through the House, and after Lincoln's pocket-veto killed the measure, he issued a very forceful attack on the President's action in the famous paper known as the Wade-Davis Manifesto.

Although the bill introduced by Davis was reported from the Select Committee on the Rebellious States and thus presumably reflected the ideas of at least the Republican members of the committee,³ Davis has been

² Gerald S. Henig, "Henry Winter Davis: A Biography" (unpublished Ph.D. dissertation, City University of New York, 1971), is an excellent account which fills the need for a modern study of Davis. It supersedes Bernard C. Steiner, *Life of Henry Winter Davis* (Baltimore, 1916).

³ They were Nathaniel Smithers of Delaware, Daniel Gooch of Massachusetts, James M. Ashley of Ohio, Henry T. Blow of Missouri, and Reuben Fenton of New York.



John Sherman of Ohio. Brady-Handy Collection. *Library of Congress*

credited with authorship of the reconstruction plan.⁴ In February 1866, at a time when the failure of the 1864 plan to become law was beginning to seem very regrettable, Ben Wade stated that "Mr. Davis framed a bill in the House and he had influence enough to get it through that body."⁵ But Davis's connection with the congressional plan of 1864 is usually thought to go back to the winter of 1862-63, when the Maryland Unionist drew up a reconstruction bill supposed to be identical to the Wade-Davis bill. At least this was the contention of Republican Senator John Sherman of Ohio. In February 1866 Sherman stated that during the Thirty-seventh Congress Henry Winter Davis prepared a reconstruction proposal which he brought to Sherman, and which the Ohio lawmaker introduced into the Senate. Referred to the Judiciary Committee but not acted on, this bill, according

⁴ The manuscript copy of the bill, H.R. 244, is in the hand of a clerk; the preamble, added at a time subsequent to the introduction of the bill and deleted by the House before passage, is in Davis's hand, National Archives, RG 233, HR 38A-B1.

⁵ *Congressional Globe*, 39 Cong., 1 sess., p. 1028 (Feb. 26, 1866).

to Sherman, was the same one that Davis reported to the House of Representatives in the Thirty-eighth Congress, the Wade and Davis bill.⁶

Despite being nearly contemporaneous with the events it describes, Sherman's explanation of the origins of the Wade-Davis bill contains certain errors of fact which raise doubts about its reliability. Sherman said, for example, that Davis introduced the reconstruction bill on December 15, 1863. In fact he introduced it on February 15, 1864; on the earlier date the House approved Davis's resolution proposing the creation of a select committee on reconstruction.⁷ Sherman also stated that after Lincoln's pocket-veto of the congressional plan of 1864 no further efforts were undertaken nor any bill submitted in the second session of the Thirty-eighth Congress seeking to harmonize the conflicting views of President and Congress on reconstruction. Yet a serious effort was undertaken by Republican lawmakers in December 1864 to arrive at a compromise with Lincoln on the reconstruction question.⁸ Even more perplexing is the fact that the records of the Senate contain no evidence of a reconstruction bill introduced by John Sherman in the Thirty-seventh Congress.⁹ Sherman's account of the origins of the Wade-Davis bill is also contradicted by testimony of James M. Ashley. Ashley, a radical Republican from Ohio, early in the war drafted reconstruction legislation imposing territorial governments on the seceded states. In the Thirty-eighth Congress, he recalled in May 1866, he introduced his earlier bill, much modified; it was this measure which passed both houses but failed to receive the executive approval.¹⁰ Tending to support Ashley's account is evidence provided by Montgomery Blair, Lincoln's Postmaster General, who was a bitter foe of radicals and especially of Winter Davis. Reviewing the conflict over reconstruction between President and Congress, Blair in December 1864 wrote that it was Ashley who introduced the congressional plan, though Davis managed its passage through the House.¹¹

Yet Sherman's account of the history of the Wade and Davis bill is not entirely inaccurate. Correspondence of Henry Winter Davis indicates that he did draft a reconstruction bill in the winter of 1862-63 which he discussed

⁶ *Ibid.*, Appendix, p. 125 (Feb. 26, 1866). Sherman repeated the account in his *Reflections of Forty Years in the House, Senate, and Cabinet* (2 vols.; Chicago, 1895), I, pp. 359-360. His view has been accepted in secondary works, for example, Bernard C. Steiner, *Life of Henry Winter Davis* (Baltimore, 1916), and Jeannette P. Nichols, "John Sherman," in K. W. Wheeler, ed., *For the Union: Ohio Leaders in the Civil War* (Columbus, O., 1968), p. 420.

⁷ *Congressional Globe*, 38 Cong., 1 sess., pp. 33-34 (Dec. 15, 1863).

⁸ Herman Belz, *Reconstructing the Union: Theory and Policy during the Civil War* (Ithaca, 1969), pp. 244-276.

⁹ Neither the *Senate Journal*, the *Congressional Globe*, nor the file of original bills, including unnumbered bills, in the National Archives shows any reconstruction legislation submitted by Sherman.

¹⁰ *Congressional Globe*, 39 Cong., 1 sess., p. 2879 (May 29, 1866).

¹¹ Montgomery Blair to Abraham Lincoln, Dec. 6, 1864, Robert Todd Lincoln Collection, Library of Congress.

with Republican policy makers, and which may have been introduced into Congress, though not by Sherman. In the Wade-Davis Manifesto, moreover, Davis stated that over a year earlier, at the President's request, he showed Lincoln a copy of a reconstruction measure substantially the same as that which Congress passed in July 1864.¹² A review of the evidence concerning this proposal, along with a consideration of reconstruction legislation introduced into the Thirty-seventh Congress, should throw light on the origins of the Wade and Davis plan.

During the first two years of the war, Republicans in Congress ceased to think of reconstruction as a mere matter of restoring the pre-existing Union and instead began to consider the need for provisional civil governments that could maintain security and order while effecting antislavery reforms in the seceded states. Underlying both of these approaches to reconstruction, however, was the assumption that upon the suppression of the rebellion southern Unionists would emerge in sufficient force to reorganize loyal state governments and carry their states back into the Union. For a while in the summer of 1861 the admission to Congress of representatives from the loyal government of Virginia seemed to augur a policy of restoration, with slavery untouched. Henry Winter Davis at this time held that as the states were subdued, the Union party ought to be allowed to "rise & rejoin the Union & the federal power be reestablished where it does not now exist—this to be done without conventions."¹³

Six months later Republican ideas on reconstruction had taken a more radical turn, as several proposals to create territorial governments in occupied Dixie made unmistakably clear. In the House attention focused on James M. Ashley's bill, reported from the Committee on Territories in March 1862, to establish territorial governments with the power to abolish slavery in the rebellious states. After the House tabled this too radical measure, a more moderate territorial proposal was considered in the Senate, whose Republican members were seeking an alternative to Lincoln's policy of appointing military governors in Union-controlled states. Though this bill, introduced by Senator Ira Harris of New York, was further amended by the Judiciary Committee so as to restrict the power of the proposed territorial government, it nevertheless contained an antislavery potentially

¹² Henry Winter Davis, *Speeches and Addresses* (New York, 1867), p. 417. This is corroborated by the statement of the Washington correspondent of the *Cincinnati Gazette*, that "Over a year ago Mr. Winter Davis drew up the substance of the present bill [The Wade-Davis bill] and in a protracted interview with the President read it to him and elaborately urged its main points" (*Cincinnati Gazette*, April 12, 1864). In March 1863 Davis had an interview with Lincoln in which he discussed the organization of the House in the ensuing Thirty-eighth Congress, and in course of which he may also have brought up the question of reconstruction. Lincoln to Henry W. Davis, March 18, 1863, Roy P. Basler, et al. eds., *The Collected Works of Abraham Lincoln* (9 vols.; New Brunswick, 1953-55), VI, pp. 140-41.

¹³ S. F. Du Pont to Mrs. S. F. Du Pont, June 30, 1861, Du Pont Papers, Eleutherian Mills Historical Library.



James Mitchell Ashley of Ohio. Brady-Handy Collection. *Library of Congress*

controversial enough to force its postponement in the final days of the session in July 1862. The long session of the Thirty-seventh Congress ended with Lincoln in command of reconstruction policy, seeking through his military governors in Tennessee, Arkansas, Louisiana, and North Carolina to encourage the Unionism which congressional reconstruction planners themselves seemed to assume would follow the military defeat of the Confederate armies.¹⁴

Outside of Congress, meanwhile, the ideas of Henry Winter Davis, the man who would be most prominently identified with reconstruction in the Thirty-eighth Congress, were beginning to assume forms that would find expression in the Wade and Davis bill of 1864. His reputation for radicalism notwithstanding, the element in Davis's Civil War thinking that stands out most conspicuously is his insistence that the government adhere to constitutional standards and procedures in meeting the extraordinary demands placed upon it. At the first broaching of plans to territorialize the

¹⁴ Belz, *Reconstructing the Union*, pp. 40-99.

states for abolition purposes, the Marylander revealed his dislike for radical governmental methods. The "abolition onslaught in Congress," he observed in December 1861, "assails the Prest. for leniency in the war & looks to a freeing of *all* the negroes—& holding the country merely by military power governed by the U.S. under Territorial forms!!" The openness of this attack on the administration, however, led Davis to think that those who shared his aversion to radicalism would have "the benefit of the veto if a majority are bent on making a new revolution to suppress the old insurrection."¹⁵ Though opposing "mischievous bills" to territorialize the states, Davis came to recognize the justice and necessity of emancipation. But he insisted that it proceed under legal authority.¹⁶ Slavery must not be allowed to continue; but to accomplish its destruction by the desolation of the southern states would mean "a radical change of our institutions of government—a substitution of revolutionary violence for legal methods in the suppression of the rebellion which will survive its overthrow." Under military law and within the limits of the constitution slaves could be employed for Union purposes, and even armed. The President, however, Davis argued, could not by mere decree change the legal relations of master and slave.¹⁷

Anticipating the central idea of the congressional reconstruction plan of 1864, Davis suggested that municipal laws on slavery be changed by state constitutional conventions. "If a convention could be called pending the rebellion or before the rebellious states are reorganized by the U.S.," he wrote to Rear Admiral S. F. Du Pont in July 1862, "& that should forbid slavery in any state, it would be *right*." Slaves might be set free through military contingencies, but the way finally to destroy slavery was through state conventions. Whether Davis thought, however, that the national government must by its own legislation initiate and direct the process of altering state law is not altogether clear. Again adumbrating ideas that informed the Wade-Davis bill, he explained that in the rebellious states there were no state governments; accordingly, they were subject to the legislative control of Congress, which could determine the laws to be enforced. Yet "It would be *unfair* & *impolitic*," he told Du Pont, "*hastily*, before the loyal people have an opportunity of showing their willingness to assume the responsibilities of governing the State under the constitution, to make so radical a blow at their social condition." The radical blow to which Davis referred was presumably the forced abolition of slavery through national legislation. If the people of a state chose not to govern themselves, then Congress could certainly provide government for them. But the preeminent

¹⁵ Henry Winter Davis to S. F. Du Pont, Dec. 11, 1861, Du Pont Papers.

¹⁶ Henry Winter Davis to Mrs. S. F. Du Pont, May 20, 1862, *ibid*.

¹⁷ Davis to S. F. Du Pont, July 11, 1862, *ibid*.

duty of Congress was to guarantee to each state a republican form of government, and this duty could not be said to be properly fulfilled unless the loyal citizens of a state were "invited & aided to reestablish" such a government.¹⁸ Davis's principal idea, then, seems to have been that the people of a state ought to be given a chance to organize their own government, acting in their constituent power. That he had in mind at this time federal legislation governing the state and directing the process of constitutional reform, as in the Wade-Davis bill, seems doubtful.

Further remarks on reconstruction by the Maryland Unionist in the fall of 1862 strengthen this conclusion. Writing to Mrs. Du Pont, Davis scored the idea of holding the South as a subjugated people after the war. To entertain such a notion was "insane," not only because northerners would not submit to the burdens that subjugation would entail, but because southerners' "sense of freedom" would revolt against it. In an uncharacteristically sanguine mood Davis concluded that "if all that is required after their overthrow is a frank & cordial acceptance of the Constitution & a fair participation in the Government, there is no reason to apprehend any crazy or sullen refusal of such for the remote prospect of independence."¹⁹

A little over two months after Davis offered this optimistic assessment, however, he was busy drafting reconstruction legislation that he sought to have introduced by Republican friends in the Thirty-seventh Congress. The principal fact which made this new step necessary was the President's accelerated antislavery policy, outlined in the preliminary proclamation of September 1862 and implemented by the final emancipation order of January 1, 1863.

In the short session that lasted from December 1862 until March 1863, the attention of Congress was focussed on conscription, the suspension of the writ of habeas corpus, and the generally discouraging Union military situation. At the start of the session occurred the cabinet crisis which saw Republican senators try to force Seward's removal as Secretary of State. Successful in finessing this constitutional and political challenge, Lincoln experienced a further triumph, less dramatic but potentially of greater significance, when the House voted to admit representatives from Louisiana elected under the authority of Lincoln's military governor. Overshadowing these developments, however, was the Emancipation Proclamation. For this injected a new element not only into considerations of war aims, but also of reconstruction. Public debate throughout 1863 and legislative deliberation on the increasingly timely question of reconstruction in the Thirty-eighth Congress, convening in December 1863, made clear the impact of the proclamation.

¹⁸ Davis to S. F. Du Pont, July 11, 1862, *ibid.*

¹⁹ Davis to Mrs. S. F. Du Pont, Oct. 20, 1862, *ibid.*

As Lincoln's order of military emancipation elevated the destruction of slavery to the level of official war aims, so it stimulated reconstruction planners to adopt the idea of changing municipal state law by constitutional convention. Perceived by Henry Winter Davis in the summer of 1862, the link between emancipation and state constitutional reform was more widely recognized in 1863. Lincoln himself went far toward explaining the reason for the connection when he commented in September 1861 on the emancipation order of General John C. Fremont which he had just repudiated. The use of property, including slave property, was warranted for military purposes. But the "permanent future condition" of slaves, Lincoln pointed out, was not a matter for a military commander, nor even for the chief executive of the government, to determine. It was rather a problem to be "settled according to laws made by law-makers . . .," he affirmed.²⁰ The Emancipation Proclamation did more than authorize the use of slaves; in districts in rebellion it declared them to be free and pledged the support of the "executive government" in maintaining that freedom. All the more therefore did its permanent legal effect remain uncertain. Based on the war power, the emancipation order did not alter the municipal laws of the states. In the course of military events it might effectively set free certain slaves, but it could not abolish the institution of slavery, as even William Whiting, solicitor in the War Department and champion of expansive war powers, admitted.²¹ Lawmakers, in Lincoln's phrase, must settle the question.

Although the thirteenth amendment to the federal constitution stands as the historic culmination of the antislavery movement, the earliest efforts to prohibit slavery were directed at constitutional reform at the state level. Amending the United States constitution was of course proposed in December 1863 and pursued through the first session of the Thirty-eighth Congress. It encountered difficulties, however, in the increased strength of conservative forces in the new Congress and in the fact that four Union states were slave states. A more direct and effective solution, and sooner or later necessary in any case, was to make prohibition of slavery a requirement of readmission to the Union, to be imposed on citizens seeking to reorganize state government through a constitutional convention. Representative George S. Boutwell, radical Republican of Massachusetts, explained the matter thus: "The return of a State with a new constitution, and by readmission into the Union, puts the question of slavery beyond the hazards of politics, and the vagaries of judges." To allow rebel states to return with their old constitutions, as conservatives urged, would mean leaving to courts for final action

²⁰ Lincoln to Orville H. Browning, Sept. 22, 1861, Basler, ed., *Collected Works of Lincoln*, IV, pp. 531-532.

²¹ William Whiting, *War Powers under the Constitution of the United States* (Boston, 1871), iv.



Ira Harris of New York. Brady-Handy Collection. *Library of Congress*

questions arising out of the Emancipation Proclamation.²² Accordingly, throughout 1863 Republican thinking on reconstruction, including that of President Lincoln, underscored the need for constitutional reform as the first step in reorganizing loyal state governments.²³ The degree of acceptance which this view received was at the same time evidence that the prospect of self-generating Unionist movements was no longer to be taken seriously as a means of returning the seceded states to the Union.

Prohibition of slavery in new state constitutions, in fulfillment of the

²² George S. Boutwell to Nathaniel Banks, May 26, 1863, Nathaniel Banks Papers, Library of Congress.

²³ Lincoln to Nathaniel Banks, Aug. 5, 1863, Basler, *Collected Works of Lincoln*, VI, pp. 364-365.

federal guarantee of republican government to every state in the Union, distinguished the reconstruction plan adopted by Congress in 1864. This was the essence of the Wade-Davis bill, which in addition to providing for the civil administration of the states in rebellion specified the exact process by which loyal citizens could hold constitutional conventions to purge their organic laws of the institution of slavery. It was also the heart, however, of a reconstruction bill introduced into the House by James M. Ashley in December 1863. Referred to the newly created Select Committee on the Rebellious States, Ashley's proposal may thus be viewed as the model for the bill reported from the committee by Henry Winter Davis in February 1864 and approved by Congress in July. It was this fundamental similarity, both in regard to the constitutional theory of guaranteeing republican government and the actual method of constitutional revision, which no doubt led Ashley to claim credit for originating the congressional plan which Lincoln vetoed.²⁴ But the origins of the Wade and Davis plan are to be found in even earlier legislative formulations, antedating Ashley's of December 1863.

One possibility is that the source of the first congressional plan of reconstruction was the bill drafted by Winter Davis which John Sherman said he introduced into the Thirty-seventh Congress. Although no copy of this bill has come to light, Davis's letters of 1862, as we have seen, suggest an approach to reconstruction similar to that of the Wade-Davis plan. The Maryland Unionist referred to the desirability of prohibiting slavery by state convention and invoked the federal guarantee of republican government as the constitutional basis on which such a policy would rest. When at the end of 1862, upon the proclaiming of military emancipation by the President, it seemed necessary to shape legislation imposing national control on the process of state reorganization, Davis may have incorporated these ideas in a reconstruction proposal.

In the Sherman papers there is a note from Davis, assigned a date of December 1862, in which he writes: "I send you the draft of a Bill embodying the principles we were discussing the other evening."²⁵ Unfortunately no copy of the bill is to be found in the collection of Sherman papers. One supposes this to be the reconstruction measure Sherman claimed to have submitted, although it could also have been an emancipation bill drafted by Davis and eventually introduced into the House by Ohio Representative John Bingham.²⁶ More revealing is a letter written on January 2, 1863, in

²⁴ See Belz, *Reconstructing the Union*, pp. 200-203, for a detailed comparison of Ashley's bill with that of the committee. Ashley, it will be recalled, was a member of the select committee on reconstruction.

²⁵ Henry Winter Davis to John Sherman, Dec. 1862, Sherman Papers, Library of Congress.

²⁶ *Congressional Globe*, 37 Cong., 3 sess., 381 (January 19, 1863); *Baltimore American*, Oct. 9, 1863, speech by Davis.

which Davis explains that he has consulted with friends in Congress and "urged such legislation as I thought necessary to holding the Government of the rebel States by Congress till such local governments as it may approve shall be established by its guidance & to make legal & effectual the President's proclamation." Though admitting that his views were received hardly, Davis adds: "still I got a hearing & drew a bill which they are considering."²⁷ While there is no express reference to state constitutional conventions, the idea might be considered implicit in the establishment of local government by loyal citizens. Again in a letter of January 28, 1863 Davis expresses the hope that "Congress will pass the Bill I prepared for governing the rebel States & freeing *by law* the negroes."²⁸ This too might be regarded as an implicit reference to prohibiting slavery by state constitutional reform. Finally, evaluating the legislative situation late in February 1863, Davis predicted that several measures would be lost by postponement, including "the bill for Provisional Govts in the rebel States. . . ."²⁹ The evidence is fragmentary and incomplete, but it seems clear that Davis sought to prohibit slavery in the process of organizing state governments under congressional supervision.

It is possible that a reconstruction bill presented to the House in early January 1863 by James M. Ashley was the measure which Davis said he drew up after consultation with friends in Congress. Because of procedural objections Ashley was unable to introduce the bill, and no manuscript copy of it exists. According to newspaper reports, however, it authorized the President to take military possession of rebellious states and established temporary governments, to be maintained until the loyal citizens should cooperate in reorganizing state governments. The bill furthermore provided for the appointment of a governor, judicial officers, and a provisional council with legislative powers. And it specified that "no law shall be passed by the Council establishing or recognizing the existence of slavery, or declaring the right of one man in the property of another."³⁰ The provision for temporary government until loyal citizens should cooperate to form new state organizations accords with Davis's belief that the people should be given an opportunity to reconstruct their states. Also congruent with Davis's outlook of course was the proposal to give effect to the Emancipation Proclamation by legislating against slavery. Still another clue suggesting a link between Davis's draft plan and Ashley's bill is John Sherman's later statement that the measure which Davis gave him included a legislature. Establishment of a provisional legislature, however, was not a feature of the Wade and Davis

²⁷ Davis to S. F. Du Pont, Jan. 2, 1863, Du Pont Papers.

²⁸ Davis to S. F. Du Pont, Jan. 28, 1863, *ibid.*

²⁹ Davis to S. F. Du Pont, Feb. 1863, *ibid.*

³⁰ New York Times, Jan. 6, 1863; Baltimore Sun, Jan. 6, 1863; Philadelphia Inquirer, Jan. 6, 1863.



John A. Bingham of Ohio. Brady-Handy Collection. *Library of Congress*

bill. While Ashley's proposal of January 1863 may be seen as a variation of his earlier territorial scheme, yet the apparent suddenness of his decision to introduce it—he was prevented from doing so because he had not given notice—suggests that he might have been acting on Davis's behalf.

Of extant reconstruction proposals the one which most nearly resembles the Wade and Davis plan is a bill introduced into the Senate in February 1863, not by John Sherman, but by Ira Harris of New York. Harris was a conservative Republican, a jurist and former New York Supreme Court judge, who in February 1862 submitted a bill creating territorial governments in the seceded states, with legislative powers capable of prohibiting slavery. It was this bill, revised in more moderate form by the Judiciary Committee, which the Senate debated and postponed in July 1862. In January 1863 Harris got the Judiciary Committee, of which he was a member, to amend it further by providing that the temporary officers charged with governing the state should exercise only those powers vested in state officers according to existing law, and striking out all references to territorial government. After brief debate the Senate postponed the bill on the final day of the session.

Meanwhile, however, Harris on February 17, 1863 brought in a true reconstruction bill which specified the complete process by which loyal citizens could form a new state government. Here for the first time in Congress appeared the requirement of a state convention charged with forming a new constitution that would prohibit slavery. The new constitutions insisted on in Senate bill no. 538, the number assigned to Harris's proposal, must furthermore exclude Confederate civil and military officers from voting or holding state office, and must repudiate the Confederate debt. Both of these provisions also found their way into the Wade-Davis bill. There are other striking similarities between Harris's bill, which was referred to the Judiciary Committee, and the congressional plan of 1864. According to S. 538 the provisional governor was charged with the civil administration of the state until a new government was formed; he was authorized to appoint officers whose appointment was provided for in state law before the rebellion; no provisional legislature was to be created; and state laws in force before secession were to be enforced. All of these provisions, which expressed the idea of maintaining the existing order with the exception of slavery, were incorporated into the Wade-Davis bill. The election of a convention, moreover, was to be entrusted to white male citizens only. And the constitutional basis of Harris's bill and the congressional plan of 1864 were the same: both rested on the guarantee to every state in the Union of a republican form of government.³¹

On the basis of existing documentary evidence the origins of the Wade and Davis plan of reconstruction would seem to lie in the bill introduced by Ira Harris in February 1863. Possibly it was this bill to which Sherman referred in reviewing the history of the congressional plan in 1866; possibly Harris introduced it at Sherman's bidding and Davis was its source.³² Certainly the bill was the same in its material points as the Wade-Davis bill, and it was referred to the Judiciary Committee, as Sherman averred. No further inference is possible, for there is no evidence linking Davis or Sherman with Harris on reconstruction matters.

While the ideas in Senate bill no. 538 to guarantee republican government are consistent with Winter Davis's thinking on reconstruction, they also form part of a consistent pattern in the outlook of Ira Harris. In July 1862 the New York Republican clearly set forth the view that federal authority should establish interim governments charged with the civil administration of the states in accordance with existing law, except laws ancillary to slavery, until the people could reorganize a government. Further-

³¹ Harris's bill was entitled: "A Bill to guarantee in certain States a republican form of government," while the title of Wade-Davis was "A Bill to guarantee to certain States whose governments have been usurped or overthrown, a republican form of government."

³² The original copy of S. no. 538 in the National Archives, however, is in Harris's hand.

more he held that the guarantee to every state of a republican form of government provided the constitutional basis for such an approach to reconstruction.³³ It is true that the bill of Harris's under consideration at this time was drawn on the territorial model. Nevertheless, in discussing it Harris showed a very different tendency to regard the states as still states in the Union, in need of temporary civil administration until they could return to their accustomed places in the nation under reformed state constitutions. To provide an opportunity for this kind of reorganization Harris considered a proper exercise of the national power to guarantee republican government. From this point he advanced in early 1863 to the position, made necessary by the Emancipation Proclamation, of requiring a state constitutional convention to prohibit slavery.

It would seem, then, contrary to the usual view which credits Henry Winter Davis with designing the first congressional plan of reconstruction, that Senator Ira Harris of New York should more accurately be regarded as its chief architect. Davis was clearly moving in the same direction in regard to policy toward the seceded states, however, as indeed were most Republicans in 1863. They were coming to recognize the need for state constitutional reform to secure and legitimize the antislavery results of the war. The hope that southern Unionism might provide a political basis for these changes having dissipated, it was necessary to direct the process of state reorganization and reform by federal law. This was the burden of the Wade and Davis bill.

And yet, though it signified the growing ascendancy of national power and augured changes in the contours of traditional federalism, the congressional plan of reconstruction also revealed a commitment on the part of Republicans to that federal system. Even in this supposedly extreme expression of radical policy, the Wade-Davis scheme, the states were very much alive. Indeed the plan was a repudiation of the state suicide theory of reconstruction.³⁴ Changes were necessary and the nation must now supervise the work of constitutional and political reform. Nevertheless, as in the past Republicans looked to the states—even the disorganized and rebellious ones—as fundamental elements in the constitutional system. Like the first American Revolution, the second that occurred in Civil War and Reconstruction was characterized by conservative tendencies. Policies shaped by law-minded Unionists, as the congressional reconstruction plan of 1864, would not depart radically from traditional constitutional bearings.

³³ *Congressional Globe*, 37 Cong., 2 sess., pp. 3141-3142 (July 7, 1862).

³⁴ See the analysis in Belz, *Reconstructing the Union*, pp. 198-243.

"A JURISDICTION COMPETENT TO THE OCCASION": A BENJAMIN RUMSEY LETTER, JUNE, 1776

EDITED BY JAMES F. VIVIAN AND JEAN H. VIVIAN

MARYLAND, wrote John Adams on May 20, 1776, "is so eccentric a Colony—sometimes so hot, sometimes so cold; now so high, then so low—that I know not what to say about it or to expect from it. . . . When they get agoing I expect some wild extravagant Flight or other from it. To be sure they must go beyond every body else when they begin to go."¹ Richard Henry Lee of Virginia, no less dedicated than his Massachusetts colleague to guiding the Continental Congress in the direction of independence, was similarly perplexed by political affairs along the Chesapeake. "Of all the extraordinary Phenomena of this extraordinary age," he cried, recent occurrences in Maryland "are the most extraordinary!"²

If Adams, Lee, and men of like mind in Philadelphia were disgruntled with Maryland, the feeling was not unrequited in Annapolis. Although to all intents and purposes governed by a Provincial Convention and a Council of Safety, the colony had never been counted as enthusiastic for or sympathetic to the idea of independence and still retained the trappings of proprietary authority. Indeed, during the months of April and May, 1776, relations between the Congress and the revolutionary leadership in the colony chilled markedly.

The series of developments that produced the disenchantment is well known to students of the period.³ In early April a number of dispatches from the British Ministry to Governor Robert Eden of Maryland fell into the hands of the Virginia Committee of Safety at Williamsburg. The letters thanked Eden for his attachment to the British government and for the "great deal of very useful information" that he had forwarded to England, and they requested that, should the need arise, he assist a British fleet being sent to the southern coast of America.⁴

¹ Adams to James Warren, in *Warren-Adams Letters . . . 1743-1814* (2 vols., Boston, 1917-1925), I, p. 251.

² Lee to General Charles Lee, May 27, 1776, in *The Lee Papers*. 4 vols. *Collections of the New-York Historical Society for the Year 1871 . . . 1872 . . . 1873 . . . 1874* (New York, 1872-1875), II, p. 46.

³ Lengthy summations are found in Bernard C. Steiner, *Life and Administration of Sir Robert Eden* (Baltimore, 1898), pp. 105-132, and Herbert E. Klingelhofer, "The Cautious Revolution: Maryland and the Movement Toward Independence: 1774-1776," *Md. Hist. Mag.*, LX (Sept., 1965), pp. 274-292. A copy of Governor Robert Eden's explanation to the proprietary Council, dated June 7, 1776, is in the Eden Papers, 1775-1776, Hall of Records, Annapolis, Md.

⁴ The letters were published in *The Maryland Gazette* (Annapolis), April 25, 1776.

Thereupon the irascible General Charles Lee, who had just arrived in Williamsburg to assume command of the American forces from Virginia southward, wrote to enlist the assistance of Samuel Purviance, chairman of the Baltimore County Committee of Observation. Although possessed of no such authority outside his command, Lee urged Purviance to order the commander of the Maryland units stationed at Annapolis to seize the governor; "the sin & blame be on my head," said Lee. "I will answer for all to y^e Congress. . . ."⁵ Purviance and the Committee dispatched a small force to effect the arrest, but its mission was thwarted by the Maryland Council of Safety in Annapolis, which understandably felt much slighted by Lee, the Virginia authorities, and the over-enthusiastic Baltimore patriots when it learned of these developments during the afternoon of April 15. Only later was it revealed that Purviance had taken it upon himself to instruct the military contingent, without the knowledge and approval of the Committee. As for the intercepted letters, which the Virginia Committee of Safety had forwarded directly to the Baltimore Committee and not to the Council in Annapolis, they had almost reached Philadelphia before a deputation from the Baltimore Committee made known their contents to the Council.⁶

The following day, April 16, a delegation from the Council met with Eden and received his assurances that his correspondence had not prejudiced the welfare of the colony. Satisfied with his explanations, the Council members asked of Eden only that he not take unauthorized leave of the province.⁷ Yet the very same day in Philadelphia the Continental Congress resolved, upon contemplating the intercepted letters, that the Maryland Council should seize both the governor and his papers and transmit all pertinent materials to its chambers.⁸ The members of the Council returned an immediate reply upon receipt of these resolves on April 18. The directive to arrest Eden—and thereby to "dissolve the Government and subvert the Constitution"—would not be respected lest the colony fall prey to "immediate Anarchy and Convulsion."⁹

If the Council was indignant at the irregular manner in which it had been informed of the intercepted letters, its sensibilities were scarcely assuaged by the decisions taken at Philadelphia. For along with the materials forwarded from Virginia went another, unsigned letter accusing the Maryland Council and the Provincial Convention of timidity and inaction. The writer,

⁵ Lee to Purviance, April 6, 1776, *The Lee Papers*, I, p. 381.

⁶ John R. Alden, *General Charles Lee: Traitor or Patriot?* (Baton Rouge, La., 1951), pp. 108, 110-112; Maryland Council of Safety to the Maryland delegates in Congress, April 17 and 19, 1776, in William H. Browne, ed., *et al.*, *Archives of Maryland* (70 vols. to date, Baltimore, 1883-present), XI, pp. 340-341, 354.

⁷ *Ibid.*, XI, pp. 333-334.

⁸ Worthington C. Ford, *et al.*, eds., *Journals of the Continental Congress, 1774-1789* (34 vols., Washington, D. C., 1904-1937), IV, pp. 285-286.

⁹ *Archives of Maryland*, XI, pp. 349-350.



Robert Eden, Proprietary Governor of Maryland (1769-1776) in uniform of the Goldstream Regiment of Foot Guards. Card Photograph of Painting, *Maryland Historical Society*

later identified as Purviance, said he had spoken these sentiments to General Lee when he had stopped in Baltimore on his way to Williamsburg. A motion in Congress to send the letter to the Maryland Council was not only quashed after several hours of spirited debate, but the members voted to keep the entire affair temporarily secret. On April 17, the day after Congress resolved that Eden ought to be arrested, the Maryland delegates failed in their second attempt to obtain the anonymous letter, since the majority voted that John Hancock, president of the body, was not obliged to disclose what was construed to be a personal communication. And Hancock refused them admittance when the Maryland delegates sought to lodge a personal

appeal.¹⁰ At this, the Council at Annapolis responded in exasperation, "We consider the Authority of the whole Province trampled upon and insulted (if not conspired against)." So seriously did it view this turn of events that it simultaneously called for the full Provincial Convention to meet May 7 to consider the entire issue presented by the intercepted letters.¹¹

While the Convention was thus preoccupied, fresh from Philadelphia came word that Congress had voted, May 15, that whereas "it is necessary that the exercise of every kind of authority under the . . . crown should be totally suppressed, and all the powers of government exerted, under the authority of the people of the colonies," the colonies should assume their own governments.¹² To the Convention, already confronted with what it believed to be one episode of unwarranted external interference, this was the crowning indignity. It immediately resolved that "the people of this province have the sole and exclusive right of regulating the internal government and police of this province . . . that it is not necessary that the exercise of every kind of authority under the said crown should be now totally suppressed in this province," and that it was convinced a reconciliation with the mother country "on constitutional principles would most effectually secure the rights and liberties, and increase the strength and promote the happiness of the whole empire. . . ." The Maryland delegates in Philadelphia, who had refused to participate in the deliberations of Congress after May 15, were instructed not to accede to independence, no matter what the other colonies might choose.¹³

Thereafter Purviance's conduct and actions were officially censured, and the Convention expressed its displeasure that anyone not resident in the colony should actually attempt to interfere in its internal affairs.¹⁴ The Convention also determined that although Eden did not appear to be guilty of any impropriety in his correspondence with the Ministry, he would nevertheless be obliged to cooperate with the British fleet expected in southern waters and should therefore depart the colony. A vacant executive, the Convention hastened to state, would not cause dissolution or suspension of the established government—"which this convention doth not think ought now to be changed"—because the president of the proprietary Council would automatically assume executive power in the governor's absence.¹⁵

At the time, then, when independence was approaching "like a Torrent,"

¹⁰ Thomas Johnson to the Council of Safety, April 17, 1776, and Maryland delegates in Congress to the Council, April 18, 1776, *ibid.*, XI, pp. 347-348, 351-352.

¹¹ Council to Maryland delegates in Congress, April 22, 1776, *ibid.*, XI, p. 369; circular letter to the Convention, April 22, 1776, *ibid.*, XI, p. 368.

¹² Ford, *Journals*, IV, pp. 342, 358.

¹³ Resolution passed May 21, 1776, in *Proceedings of the Conventions of the Province of Maryland, Held at the City of Annapolis, in 1774, 1775, & 1776* (Baltimore and Annapolis, 1836), pp. 141-142.

¹⁴ *Ibid.*, pp. 137-138, 143.

¹⁵ *Ibid.*, pp. 150-151.

to use the phrase of John Adams,¹⁶ Maryland resisted a final severance of colonial ties. Confronted with what they considered impropriety and meddling by the Virginia Committee of Safety, by a Continental officer with no authority in the province, and by the Continental Congress itself—to say nothing of what they interpreted as a dangerous usurpation of power by the Baltimore Committee of Observation—the political leaders in Annapolis resolutely opposed being driven to a premature and irreversible decision. Yet, as one contemporary on the scene presciently observed, “I am apprehensive, however favourably they may be now disposed, they will not long be able to stem the torrent which, in several provinces, runs strongly towards independence.”¹⁷

Among the membership of the Maryland Council of Safety and the Provincial Convention during the spring of 1776 was Benjamin Rumsey (1734-1808) of Harford County, who recorded his impressions of and reactions to these awkward and bewildering occurrences in a long letter to his brother, dated June 3. Rumsey, a scion of the landed Rumsey family of Cecil County, had practiced law on the Western Shore as early as 1757. He had been active in the resistance to British imperial legislation at least since 1769, having in that year signed the non-importation association against the Townshend duties. Soon after news of the Boston Port Bill reached Maryland in 1774, he was elected to the Harford County Committee of Correspondence, and he first represented the county in the Provincial Convention in December, 1775.¹⁸

Rumsey became increasingly active in provincial affairs, in both civilian and military capacities, during the opening six months of the year of independence. His services to the Convention included work in drafting regulations for the troops being raised in Maryland and in developing a scheme for the emission of provincial bills of credit. The Convention also commissioned him colonel of a battalion of Harford County militia and elected him to the Council of Safety.¹⁹

Rumsey regularly attended the sessions of the Council and the Convention during April and May and thus shared firsthand the indignities, frustrations, and apprehensions emanating, on the one hand, from the mishandling of Eden's intercepted correspondence, and, on the other, from the directive that the colonies should form governments independent of im-

¹⁶ Adams to James Warren, May 20, 1776, *Warren-Adams Letters . . . 1743-1814*, I, p. 249.

¹⁷ William Eddis, *Letters from America, Historical and Descriptive; Comprising Occurrences from 1769, to 1777, Inclusive* (London, 1792), p. 283.

¹⁸ U. S. Congress, *Biographical Directory of the American Congress, 1774-1961* (Washington, D. C., 1961), p. 1548; George Johnston, *History of Cecil County, Maryland* (Elkton, Md., 1881), pp. 508-509; C. Milton Wright, *Our Harford Heritage: A History of Harford County, Maryland* (n.p., 1967), p. 65; Basil Sollers, “Judge Thomas Jones of Patapsco Neck,” *Md. Hist. Mag.*, II (Sept., 1907), p. 248; “The Case of the Good Intent,” *ibid.*, III (June, 1908), p. 149.

¹⁹ *Proceedings of the Conventions of the Province of Maryland*, pp. 48, 66, 80-81, 118.

Robert Purviance (1734-1806).
Miniature portrait by Jean Pierre
Henri Elouis. Courtesy of Mr.
Hugh Purviance King Hewlett



perial authority. Several of his letters describing the proceedings of the Convention during May, 1776, have survived in the Benedict Edward Hall Papers at the Maryland Historical Society. None of them, however, compare in full and frank argument to the one, previously unpublished letter that appears below.²⁰ Written on June 3 from Westminster in what is now Carroll County, where Rumsey had taken up his military duties after the adjournment of the Convention, the letter is a welcome, forthright statement of his conception of the powers and limitations of the Continental Congress as well as his appreciation of developments during the most recent eight weeks in the history of Maryland. It is addressed to his brother William, a major in the Cecil County militia,²¹ and apparently was prompted partly by an earlier communication from him in which some of the actions of the Convention had been questioned. The editing of the letter has been kept to a minimum; some punctuation has necessarily been supplied to clarify the exposition.

Dear Brother

I am sorry that it did not suit You to stay a Day or two longer at Westminster and yet I am selfish in it as the pleasure I receive in your Company is the Inducement that makes me wish You had made that Sacrifice of your Time and your Interest solely to gratify me.

I arrived but three Days after your Departure fatigued as much in Body as in Mind tho as One of a publick Body my Conduct had been approved by the Convention. Yet the great Subject of Dependance or Indepen[dence] much agitates me among the Rest of the Individuals of this large Continent. The People in Britain think We are in a Phrensy.²² We pay them back their Compliment with

²⁰ Papers of the Rumsey Family of Bohemia Manor, Cecil County, Md., Box 2, Manuscript Division, Library of Congress.

²¹ *Proceedings of the Conventions of the Province of Maryland*, p. 80. After Benjamin became a member of the Maryland delegation to the Continental Congress in the fall of 1776, William was elected a member of the Council of Safety. J. Thomas Scharf, *History of Maryland from the Earliest Period to the Present Day* (3 vols., reprint, Hatboro, Pa., 1967), II, p. 280.

²² Apparently an allusion to a statement made by William Eden, brother of the governor, who wrote from London on December 24, 1775: "It is a cursed Business—we may be mistaken, but we think you [i.e., the American colonies] in general in a State of Frenzy." The letter, which Governor Eden showed to the Council of Safety, is printed in *Archives of Maryland*, XI, p. 346.

Interest. When both are so positive a Bystander would naturally conclude that both were wrong and that a Medium was the best and safest. I incline to the System of the last and think Dependance securing our Rights and Liberties the most eligible. Altho forced to fight yet like the emblem on the continental Money, while the Sword unsheathed was ready to strike in the Right the Left should always shew the Olive Branch.

Our Province tho' calumniated and our Council altho batoried I suppose at a great Rate by Numbers yet preserve this Conduct. They are making all the preparations in their power to defend their Country and arming without parade or Noise. Strongly inclined to a Reconciliation on constitutional Terms and to preserve our Forms of Government they have yet made large Advances towards Independance. They before the Resolve of Congress dispenced with the Oaths of Allegiance & voted they would indemnify every One who should cease to take them.²³ They have since done more than all the Bishops have ever ventured to do, reformed the Book of common prayer.²⁴ And altho We are now to pray that God will be pleased to give the King Grace, turn his Heart and make a new Man of him (I am afraid all our prayers will be inefficient), Yet We have expunged all those parts that pray for a Victory over all his Enemies &c^a.

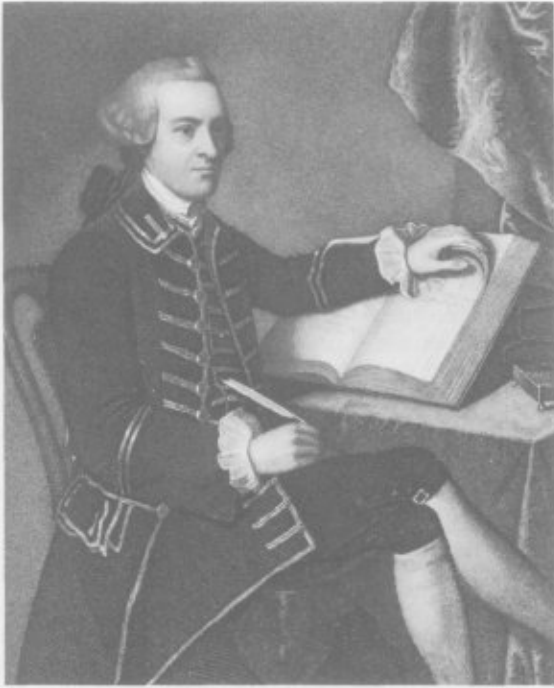
The Convention have not stopped here, a Deputation waited on the Governour to know if he would engage not to correspond with the Minister of State²⁵ or any One in Authority under him. He would not engage that, but in general Terms that he would not write Nor act Any Thing that should be disadvantageous to the Wellfare of this Province but would act agreeable to the Line he had hitherto observed, yet confessed if a Fortification was erected, Troops raised, Arms imported, and the same become publick he was under an Obligation to inform the Secretary of State of it. Altho upon the whole Tenour of the Correspondence laid before the Convention they were of Opinion that the Governour had carried on None that was inimical or unfriendly Yet they thought the revealing the Truth would not do at all Times. They therefore permitted him to depart with all his effects in a friendly Manner and he has declared he will not take an active part ag^t Us but will do Us all the Good in his power and is now [I am] told ready to embark on Board of Men of War come for that Purpose to Annapolis.

This does not look like changing a Government by Degrees but very rapidly. Yet it is not more than what the Necessity of the Times will authorise and We have taken Care at the same Time to guard so as not to fall into Independance, yet that the Way should be prepared for it in Case of an absolute Necessity oblidging Us to declare it, by the following Resolves and the foregoing, to wit, That even after the Departure of the Gov^r there is not yet in this province a

²³ On May 15 the Convention abolished, for the duration of the imperial crisis, the oaths of allegiance that the British government required of colonial officeholders. *Proceedings of the Conventions of the Province of Maryland*, p. 134.

²⁴ In view of the state of hostilities between the mother country and the Colonies, declared the Convention on May 25, "the good people of this province . . . cannot, with any sincerity or devotion of heart, pray for the success of his majesty's arms; therefore *Resolved*, That every prayer and petition for the king's majesty, in the book of common prayer and administration of the sacraments and other rites and ceremonies of the church, according to the use of the church of England . . . be henceforth omitted in all churches and chapels in this province, until our unhappy differences are ended." *Ibid.*, p. 156.

²⁵ Lord George Germain, Secretary of State for the American Department.



John Hancock (1736-1793) in *National Portrait Gallery*, Vol. II. *Maryland Historical Society*

Necessity of destroying all the Forms of the old Governmt^t as the same can be well carried on under a president of the Council agreeable to our Acts of Assembly.

That the Convention and Council of Safety can call into Action the whole military Force and Strength of this province whenever there is Occasion to employ the same and are in no Wise impeded by those Forms. That no Power on Earth has a Right to intermeddle in the internal Police of this province She having an exclusive Jurisdiction therein.

The two last are intended to shew other Colonies that the Shadow of Government which we retain will neither prejudice them nor Us and that we are determined to be free and not hurried or forced into any Measure the Expediency of which we do not clearly see altho recommended by the Venerable Body You mention.

But while We are upon the Subject of this respectable Body to whom You seem to be under a Concern for our answering our Refusal to seise the Governour And whose Authority seems to be so extensive, her Limits so unconfined, and the Boundaries not yet marked the proud Sea to restrain, whose (I think) incroaching Waves an humble Attempt has been made and keep them within their proper Shores—I say let us consider the Nature of our Connection with her, what ought to be her power, what Sort of an Union & Confederacy the Colonies have made

and that will best satisfy You in the propriety of the Resolves of the Convention and Acts of the Council of Safety on that Head.

Great Brittain violated the Rights and Liberties of America systematically. America in vain petitioned, the System was still carried on, [so oppo]sition of the whole became necessary. Congress then became necessary, was proposed and acceded to. They met and made a League to obtain a redress of Grievances by a commercial Opposition. If Great Brittain introduced Force they agreed to bring her to a solemn Bill of Rights by Force. Each of the Colonies as independant States was to have a Vote in all Measures designed to bring about this Event and a Majority of Votes as far as this League extended and in Questions subject to it were to determine the Point. At this Time no person was daring enough to mention Independance. The most of the Colonies would have shuddered and shrunk back at the Thought. My Idea of the Congress's Power was that She was to make Peace or War, say how much each Province was to find or sink of the Taxes necessary, conclude Alliances, make Laws regulating the whole where the Jurisdiction of the Colonies were unequal to the Task such as a Contention between Colonies about Limits or any other Quarrell between them &c^a. And Negatively that they could not intermeddle with our Government or internal Police in any manner whatsoever. If She did this latter it would be equally [as] hazardous as the British Legislature only We have Representation. There would be no Occasion of any other Body to Rule. Conventions &c. useless. And that Body the supreme legislative Body over all America which I shall submit to with equal Reluctance and think myself as much a Slave to as a British parliament with all their Omnipotence since ours would have equal Claims to it.

In this point of Light the Council thought and acted with Respect to the Requisition of Congress. The Convention have in Consequence approved of the Action and the principle. They had acted too previous to any Notice of the Requisition. For altho Gen^l Lee and the Virginia Committee of Safety with a View of forcing this Province into Independance had hastened the Express so as to get up to Philad^a on the 15th of April and it was delayed so as not to reach Us 'till the Afternoon Viz 3. O'Clock of the same Day, And no Doubt wished it might not reach Us 'till backed by the Authority of Congress, nay even endeavoured to add the Weight of the Balt. Commee ag^t Us, in which Case he did not doubt of succeeding in the favourite project of seising the Governour and of New Modelling the State in Consequence of it—Yet he and his Associates were disappointed. The Council ignorant of any Plott on the Occasion yet wondering much and resenting a little the only Occasion on which the Baltimore Commee had packets of such Consequence addressed to [them from] Virginia on State Matters and of Consequence looking upon it as an Indignity offered and a Distrust in them yet proceeded to discharge their Duty. They expostulated with the Governor on the intercepted Lres. He voluntarily shewed all the Lres in his possession, offered all his Keys. All his papers they chose were inspected. He gave his Assurances and Explanations. They were satisfied he had not from any Evidence appearing to them carried on an unfriendly Correspondence but the Reverse. They found a Representation of our Province so just, so much to its Advantage as to merit Thanks instead of Censure yet they gave it not but told Mr



General Charles Lee (1731-1782). From *Narrative and Critical History of America*, Justin Winsor, editor. *Maryland Historical Society*

Eden that wherever there was a possibility of Danger as Trustees of the people they were under a Necessity of guarding against it. They therefore required of him his Assurance that he would not depart the Province untill a Convention before whom they should lay the Affair should judge thereof and in the Mean Time they should expect he would maintain Peace and good Order among Us and not correspond to our Disadvantage. This he engaged. He gave his parole. We gave Assurances on our Side that he should be in Safety Among Us and that We would use our Interest in Convention that he might depart peaceably with his Effects. Immediately on this came thundering down the Resolve seise the Governour, transmitt his papers. We wrote back for Answer [that] We had done previous to their Resolve in Substance what was recommended and stated how; that we did not chuse to go further as we had referred it to a Convention, We had a Jurisdiction competent to the Occasion, and that in our humble Opinion the Congress had no Right to interfere in our internal police. We expected a Devil of a Storm from New England. They talked loud and We were firm and resolute but after keeping our Messenger a Week to give Us an Answer he was discharged without a single Line from Congress. The Independants said in private We were such damned Obstinate Fellows it was best to let Us alone. View now our Characters contrasted. Congress judged at a Distance upon partial Evidence an Anonymous Letter of Purviance's in which Convention, Council of

Safety &c^a are vilified and made their Order in a Case where they had no Jurisdiction. We judged where we had the best & fullest Evidence that could be had on the Spott in a Case where we had Cognizance, took prudent Care of the Country's Interest, vindicated their just Rights even in the Face of Congress firm ag^t them, Virginia, Gen^l Lee, and as We thought the Balt. Commee. Confident ag^t the World in "Arms," [we] ref^d the Matter to the Wisdom of the Province. Got their approbation. The Congress recedes. Purviance Chairman of the Balt Commee his Acts are disowned by them.²⁶ He is censured by Convention. Gen^l Lee apologises to Us meanly at the Expence of his Veracity in a Lre of a Sheet long humiliating enough.²⁷ And We have triumphed over Virginia by offering her Assistance in Case of an Attack on her while her Troops are marched to the Relief of Carolina and in Heaping Coals of Fire on her Head have such Revenge as Christians ought.²⁸ Thus We justify not complying with the Requisition of Congress.

However I am and have been so disgusted with State Matters as to wish to resign my Post. I sollicit^d for it last Convention but find I am disappointed by being reelected.²⁹ I had too my Schemes, they were for publick Good or Salt or Gunpowder but I cannott undertake them.

I never saw or heard of Major Jenifers intercepted Lre 'till the Receipt of Yours but Assure You our Preparations are not at all released by him.³⁰ We proceed with all the Vigour we can to arm but still with Hopes that We shall not have Use for them always being of Opinion that Peace was easiest and best made when We had Arms in our Hands and We were best prepared for War.

I should be glad my Mother could be prevailed on not to settle the place during these Times. I may engage to pay but shall not be able, but it was not £35. per Year I was to pay; You were to drop £15.0.0 per Annum and I was to pay You £20. It would not be reasonable to ask it now when a Copper cannot be made but I am losing Money on all Hands and when Nothing can be sold. Remember Wheat was then at least 7/6. Now I cant for my Life get 2/6. here per Bushell. It would be Madness unless You will take Wheat at the old Rate to ask the old Rent nor can any human Being give it and live. However if my Mother cannott be happy without it but must have the place and You think it reason-

²⁶ On April 22 the Baltimore Committee of Observation officially disapproved of Purviance's conduct in instructing, without its knowledge or consent, the men sent to Annapolis to seize Eden. *Archives of Maryland*, XI, p. 365.

²⁷ Lee wrote to Daniel of St. Thomas Jenifer, president of the Council of Safety, seeking to excuse his precipitant letter to Purviance on grounds that "I imagined you had no Troops at Annapolis . . . [and] had I known, Sir, that a Regiment or any Troops were stationed at Annapolis, I should undoubtedly, Sir, have address'd myself to you. . . ." But, to Lee's personal discredit, the Council knew already that his letter to Purviance had implored the latter to act "in my name . . . to direct the Commanding Officer of your Troops at Annapolis immediately to seize the person of Gov^r Eden. . . ." Lee to Jenifer, May 6, 1776, and Lee to Purviance, April 6, 1776, *The Lee Papers*, I, pp. 381, 472-473.

²⁸ Lee anticipated that the fleet would attack the Carolinas rather than Virginia. He arrived in South Carolina with a force of Continental troops from Virginia and North Carolina in time to help repel the British attack on Charleston in June, 1776. John R. Alden, *The American Revolution, 1775-1783* (New York, 1954), pp. 93-94.

²⁹ Rumsey was reelected to the Council of Safety on May 25, just before the Convention adjourned. *Proceedings of the Conventions of the Province of Maryland*, p. 161.

³⁰ William Rumsey may have repeated a rumor concerning a letter by Daniel of St. Thomas Jenifer, as there does not appear to have been such an intercepted letter.

able I will do as I promised in my Letter when I am able, to wit pay £20. a Year when it can be gott.

I have my Brother Ch^s³¹ and M^{rs} Hamilton's³² Bonds for th[e] Sum You have to let. If We could make an Exchange and I ob[tain] their Consent the Sum would patent my Lands in York County [Pennsylvania] and pay off all my Debts and buy Molley a Carriage besides.

I am sorry We could not get the Powder but submitt to the Necessity of the Case as the Congress seised it.

I am incapable of being of any Service to You in Ship building nor can it be carried on here with any Advantage without a Store to pay off Ship Builders in our own Way. I would engage with You in any Business that bears a tolerable Face for profit after the War and leave off the Law all to Harford Court, rent out my Caecil Plantation and only keep this.³³ I am well seated for that here. I shall enquire into M^r Cowens³⁴ Way of building but now can tell You the Outlines. Ship Carpenters, Labourers &c^a are hired by the Month. They buy their Timber on the River & in General putt it up in Winter, haul it, And people are paid out of the Store. There lies as he has often told me the chief Advantage and in Freight got for them Home. There they are sold and make One Article of Remittance for Goods. Your Law Case must be considered in my next. I have been too prolix already. I am D^r Bro^r Yours Affect^y

Benjamin Rumsey

Westminster. 3 June 1776

This Week devoted to military Matters, the Choice of an Adjutant in which I am oblidged to attend the Exercise of the Company's and next We propose to come and see You.

I cannot consider your Case this Evening as I must revise my military Matters to be at the Review to Morrow of two Companies. Another Day in the Week I must be at it and also go to Balt. Town with our Ladies. God knows when I shall. I want to go to York too to get some Horses from my Tenants. They pay me Nothing. BR

³¹ Charles Rumsey commanded a battalion of Cecil County militia until his untimely death in 1780. He was the younger brother of both William and Benjamin. Charles B. Clark, *The Eastern Shore of Maryland and Virginia* (3 vols., New York, 1950), II, p. 1041; *Calendar of Maryland State Papers* (Annapolis, 1955), No. 4, pt. 3, p. 91.

³² Perhaps Mrs. Jane Hamilton, widow of the Rev. John Hamilton, former rector of North Elk parish, Cecil County. *Archives of Maryland*, XLV, p. 321; Johnston, *History of Cecil County, Maryland*, p. 444.

³³ Rumsey owned the adjacent tracts of "Round Stone," "Wither's," and "Bailey," totaling 800 acres, in Cecil County but considered Rumsey Mansion at Joppa, in Harford County, to be his residence. *Ibid.*, p. 509.

³⁴ Captain Alexander Cowen, of the Harford County militia, began construction of two or three gondolas in mid-1776. By late November of the year one of them was said to be almost completed. *Calendar of Maryland State Papers*, No. 4, pt. 2, p. 67; *Archives of Maryland*, XII, pp. 137, 485.

BEVERLEY C. SANDERS AND THE EXPANSION OF AMERICAN TRADE WITH RUSSIA, 1853-1855

BY NORMAN E. SAUL

AMERICAN business biography has been dominated at one extreme by the powerful captains of industry and at the other by the small town merchants. Men whose enterprises failed or quickly outlived their usefulness have been generally ignored except in the statistical record. Yet the story of their plans and ambitions can often be more illuminating to a period of economic change and transition than those who happened to be successful. The survival of documents is a major problem, but fortunately, in the case of a Baltimore businessman who went to California during the gold rush, enough are available to reveal the beginnings of a unique commercial relationship with the Russian Empire.

In the 1840's Beverley Chune Sanders enjoyed a modest social and business position in Baltimore as a partner in the retail firm of A. W. Davidson.¹ But the discovery of gold on the west coast promised riches, and in 1850 he embarked on a steamer for Panama and California, arriving in San Francisco on August 23.² Regular, efficient, and relatively safe and comfortable transportation to the West was one of the first important by-products of the gold rush. Sanders was aware of the potential of this business from his previous investment in a steamer line from Baltimore to Charleston. So, in early 1851, he became part owner and San Francisco agent for the *Santa Clara*, the first steamship built in California.³ Business flourished and Sanders quickly became a leading San Francisco entrepreneur. He associated with J. Mora Moss, another Baltimorean, and together they organized the San Francisco Gas Company, which installed the first street lights in the city.⁴

On March 1, 1852, Sanders joined Charles J. Brenham, who had just com-

¹ The author wishes to thank the Milo Berking family of Barrington, Rhode Island, for the opportunity to see the papers of Mrs. Berking's ancestor. These materials are hereafter cited as Sanders Papers. The writing was supported by the General Research Fund of the University of Kansas.

² The exact date is found in Louis J. Rasmussen, *San Francisco Ship Passenger Lists* (San Francisco, 1966), II, p. 24.

³ Kenneth M. Johnson, ed., *San Francisco as It Is: Gleanings from the Picayune, 1850-1852* (Georgetown, Calif., 1964), pp. 128-129. For a good description of early steamer operations, see *California Inter Pocula* in *The Works of Hubert Howe Bancroft* (San Francisco, 1888), XXXV, pp. 121-224.

⁴ Construction of the gas works commenced in Nov. 1852, and the first street lamps were lighted on Feb. 11, 1854. Frank Soule, John H. Gihon, and James Nesbit, *The Annals of San Francisco* (New York, 1855), pp. 517-518.

pleted his first term as mayor, in founding the San Francisco Savings Bank, which soon became simply "Sanders and Brenham."⁵ Capitalizing on his previous Whig activity in Baltimore and on his connection with Brenham, who was chairman of the Whig State Central Committee, Sanders became politically prominent and served in the summer of 1852 as grand marshal of a procession honoring the memory of Henry Clay.⁶ On October 20 he was appointed Collector of Customs for the port of San Francisco, an important and lucrative post.⁷ But just before this news reached California, Sanders began his mercurial involvement with Russia.

One of the products in great demand on the hot Panama steamers and in the boom towns along the coast was ice. The first quantities, brought around the Horn from Boston, usually sold at 20-40 cents a pound, sometimes as high as \$1.00.⁸ The earliest attempts to bring ice to San Francisco from the Russian colony in Alaska, in the winter of 1851-1852, were not financially successful, but the officers of the Russian-American Company were interested in bolstering their diminishing profits from furs and instructed Peter Kostromitinov, the company's agent in California, to seek out men of capital with regard to future ice sales.⁹

A group of San Francisco businessmen, led by Beverley Sanders, signed a three-year contract on October 21, 1852, to buy at least 1,200 tons of Alaskan ice a year at \$35 a ton.¹⁰ Called at first the Russian and North American Ice Company, by the end of the year the enterprise was changed to the American Russian Commercial Company with Sanders as president. Brenham, Lucien Hermann, Abel Guy and other leading citizens were the chief stockholders

⁵ A short biography of Brenham is in *ibid.*, 735-739; "San Francisco Savings Bank," printed announcement, Sanders Papers.

⁶ Sanders to his wife, Elizabeth Hillen Sanders, August 14, 1852, SP. Another reason for Sanders' political fortune may have been the patronage of Daniel Webster, whose niece was apparently Sanders' first wife. The published sources on Webster and the archives at Dartmouth College reveal no trace of any communication between Webster and Sanders. Beverley Tucker, however, claimed that Daniel Webster retained a high regard for Sanders to the end of his life. B. T. [Nathaniel Beverley Tucker], *In Memoriam: Beverley C. Sanders* (Washington, D. C., 1884), p. 1, Sanders Papers. The author of this five-page eulogy was a southern politician, former Confederate agent, and a family friend since the Civil War period.

⁷ Elisha Whittlesey, Comptroller of the Treasury, to Sanders, Oct. 20, 1852, Sanders Papers.

⁸ Nicholas Rozenberg to the directors, Sept. 10/22, 1851, National Archives, Record Group 261 (Records of Former Russian Agencies), Records of the Russian-American Company, 1802-67, Communications Sent, Vol. 32, p. 505. This important source for early Alaskan history will be cited as: NA, RG 261, RRAC, CS or CR (Communications Received).

Some dates in footnotes reflect the use of the Julian calendar in Russia. Read Sept. 10/22 as Russian/American.

⁹ Rozenberg to Kostromitinov, Sept. 10/22, 1851, NA, RG 261, RRAC, CS, 32, p. 497.

¹⁰ Rozenberg to Kostromitinov, Dec. 31, 1852/Jan. 12, 1853, NA, RG 261, RRAC, CS, 33, p. 579. For a review of what was known about the ice trade before the discovery of the Sanders Papers and examination of the Records of the Russian-American Company, see E. L. Keithahn, "Alaska Ice, Inc.," in *Alaska and Its History*, edited by Morgan B. Sherwood (Seattle, 1967), pp. 173-186, and Ted C. Hinckley, "Ice from 'Seward's Icebox,'" *Pacific Historian*, XI (Summer 1967), pp. 28-38. The best books in English on the Russians in Alaska are: S. B. Okun, *The Russian-American Company*, trans. Carl Ginsburg (Cambridge, Mass., 1951) and Hector Chevigny, *Russian America: The Great Alaskan Venture, 1741-1867* (New York, 1965).



Nicholas I (1796-1855) *Library of Congress*

in the new company. On March 5, 1853, the first load of ice from Alaska for the American Russian Commercial Company arrived in San Francisco.¹¹ Continued competition from Boston ice threatened the new trade, however, and in June Sanders succeeded in convincing Kostromitinov of the necessity of cutting the price to \$25 a ton.¹²

Thanks in part to the success of the new business, Sanders had become one of the business leaders of San Francisco by the summer of 1853. The

¹¹ National Archives, Record Group 36 (Bureau of Customs), San Francisco, Vol. 11 (Arrivals—Oct. 11, 1851-July 1853).

¹² Ivan Rudakov to the directors, July 14/26, 1853, NA, RG 261, RRAC, CS, 34, pp. 179-181.

occasion of his retirement as collector of the port in July, because of the national Democratic election victory in 1852, produced a number of public testimonials to his valuable service to the city. Sanders was now free to devote more time to his own commercial plans and decided to journey to Russia to seek a long term and far ranging contract with the directors of the Russian-American Company for Alaskan trade. Shortly before his departure from California a public dinner was held in his honor, and the *Daily Alta California* noted:

Among those who take their departure on the steamer to-morrow, is Beverley C. Sanders, Esq., late Collector of this port. The kindly sentiment expressed towards him by his numerous friends, in the correspondence we publish to-day, will be heartily endorsed by the whole community. In all the relations of life, whether as public officer, merchant, citizen, or neighbor he has borne himself with an uprightness and kindly consideration for others, that have secured him a high place in the esteem of his fellow citizens. His departure will create a gap in our social circles which no other can fill. All will join us in wishing him a pleasant voyage, a happy re-union with his family, and a speedy return to our midst.¹³

Accompanied by a Japanese boy whom he had befriended, Sanders departed for Baltimore on August 1, 1853.¹⁴ While visiting his family he made several trips to Washington regarding his commercial project with Russia. He consulted Alexander Bodisko, the Russian minister to the United States, and obtained a rare personal interview with President Franklin Pierce. From Secretary of State William L. Marcy, Sanders received an official courier's passport. Having waited for the confirmation of Henry Seymour of Connecticut as the new American minister to Russia, Sanders sailed from New York on January 21, 1854.¹⁵

In London Sanders caught up with Seymour and conferred with the American minister to Britain, James Buchanan, with Consul George N. Sanders (no known relation), and with Samuel Colt, who was in Europe to collect orders for his new arms factory in Hartford. Despite the war clouds gathering over Europe (or because of them), Seymour traveled at a leisurely

¹³ *Daily Alta California*, July 31, 1853, p. 2.

¹⁴ "A Journal of the Trip," Letterbook, Sanders Papers, p. 1. The "Journal" is an eighteen-page summary in Sanders' handwriting.

The largest amount of published material on Sanders, though containing little about his business with Russia, is in the autobiography of the Japanese who later became a prominent diplomat, publisher, and statesman. Joseph Heco, *The Narrative of a Japanese: What He has Seen and the People He Has Met in the Course of the Last Forty Years*, ed. James Murdoch (2 vols., Yokohama, c. 1890), I, pp. 132-164. Heco, aged fifteen in 1853, was placed in a Catholic school in Baltimore while Sanders went to Russia.

¹⁵ "Journal," p. 2, Letterbook, Sanders Papers. Heco gives a detailed visual description of the interview between Sanders and the President but, since he knew little English at the time, reports nothing about the conversation except that it was long. Heco, *Narrative of a Japanese*, I, pp. 140-143.

pace through Paris, Brussels, Berlin, and Warsaw. Not wishing to arrive ahead of the envoy, Sanders joined him and Dr. Thomas Cottman, a surgeon from Louisiana, and they reached St. Petersburg together on March 24.¹⁶

The next day after his arrival, Vladimir Bodisko, a senior foreign ministry official, called on the American businessman at his hotel. Bodisko, a brother of the minister in Washington, had recently returned from a special mission to Japan through San Francisco, where Sanders had "extended to him some civilities."¹⁷ As a result of this previous contact Sanders gained easy access to St. Petersburg society, which he found very friendly to Americans because of the recent declarations of war by Britain and France. Keeping in pace with this spirit, Sanders, during an official reception given on March 28 by Admiral Paul Rikord, naval chief of staff, told his host that he agreed entirely "with the sentiments expressed by the Emperor, 'that there were but two consistent governments now in the world, those of Russia and the United States,' and speaking for my countrymen I could only say that they all admired the Emperor, and felt the greatest friendship for Russia."¹⁸

Later the same day, Sanders, accompanied by Bodisko, called at the offices of the Russian-American Company. He had already corresponded with the chairman of the board of directors, General Vladimir Politzkovsky, who had replied that because of his recent appointment as commandant of Kronstadt there would be a delay before Sanders could be officially presented to the company. But when the American arrived at the company's headquarters, he was, to his surprise, formally introduced to the five directors, presided over by Politzkovsky and Admiral Adolf Etolin.¹⁹ With the preliminaries over, Sanders began a series of daily visits to the Russian-American Company to study maps and charts and to discuss details of the commercial agreement. The negotiations moved slowly because of the cumbersome Russian business procedures, war preparations which occupied the directors, and Sanders' insistence on exclusive twenty-year rights to the marketing of all Alaskan products except furs, a condition he deemed necessary for the Americans to recover their investments.

In the meantime, Sanders developed an interest in another project. On the journey into Russia the Americans had traveled by train as far as Warsaw and then six days and nights by "diligence" to St. Petersburg. The hardships of this last lap of the trip made quite an impression upon Sanders. On April 17 he discussed the possibilities of building railroads in Russia with William L. Winans, another Baltimorean and manager of an American-leased factory at Alexandrovsk that manufactured railroad equipment. Winans' brother

¹⁶ Diary, 1854, various entries for February and March, Sanders Papers (no pagination).

¹⁷ "Journal," p. 6, Letterbook, Sanders Papers.

¹⁸ *Ibid.*, pp. 7-8.

¹⁹ Diary, 1854, March 28, Sanders Papers.



President Franklin Pierce (1804-1869).
Maryland Historical Society

Ross and George W. Whistler had been the chief engineers in the construction of the first major line in Russia from St. Petersburg to Moscow in the 1840's.²⁰ Encouraged by Winans and aware that the prospects for American business were improved by the temporary elimination of French and British competition, Sanders sent a formal letter on April 21 to Count Paul Kleinmichel, the Minister of Ways and Communications, "applying for a contract to build railroads from Warsaw to Petersburg and from Moscow to Odessa."²¹

While expanding his business ambitions the man from San Francisco did not hesitate to involve himself in related political questions. Learning from an American source "that it is the intention of certain parties to obtain from the Turkish Government commissions, by virtue of which they will take possession of the Russian possessions on the North W. Coast of the Am. Continent," Sanders wrote in protest to the American minister in Constantinople. He emphasized that "England has already too much territory on the Am. Continent and any attempt, *even by indirection and through third parties*, to possess herself of that which belongs to Russia should be discountenanced and thwarted, particularly when it is to produce serious inconvenience and retard our commerce, and result in injury and losses to our citizens."²² Although a threat of this kind did not materialize, the alarm at the time prompted Sanders to write privately to President Pierce:

The relations between Russia and America have always been of the most amicable and agreeable kind. No cause of jealousy or misunderstanding has ever existed nor can arise, in the very nature of the case—the two nations being so widely separated and distant from each other and so different within forms of government.

²⁰ *Ibid.*, April 17. For the story of these early American engineers in Russia, see Albert Parry, *Whistler's Father* (Indianapolis, 1939), and John E. Semmes, *John H. B. Latrobe and His Times, 1803-1891* (Baltimore, 1917).

²¹ Diary, 1854, April 21, Sanders Papers.

²² Sanders to Carroll Spence, April 12, 1854, Letterbook, *ibid.*

England has had great commercial advantages awarded her by Russia and has been reaping a rich harvest from these privileges for a great many years. Her conduct recently towards Russia appears to have completely and forever alienated the feelings which have heretofore existed towards the English.

This, then is the opportune time for our country to profit by the state of things and by reciprocal commercial treaties to open a new trade with Russia which will increase our commercial agricultural and manufacturing interests to an incredible extent and at the same time secure a lasting friend, a firm ally and good customer in Russia.²³

Despite Sanders' protestations of friendship towards Russia in letters abroad and at various receptions in St. Petersburg, very little progress was made on the commercial agreement until the end of April. The Russian-American Company, concerned about the security of their territory during the war, was negotiating in London with the Hudson's Bay Company. Finally word was received that the British government had approved a neutrality status for Russia's American territory, but this did not cover ships at sea. The Russians now began to look with a new light upon the overtures of the American businessman.

On April 28 Sanders was summoned to the foreign ministry to discuss commercial affairs with Count Carl Nesselrode. "Other matters" were discussed with the foreign minister on April 29.²⁴ The ministry of war invited him to discuss the possibility of ordering small arms from Colt, and Sanders wrote immediately to Colt's agent in Brussels for a pair of army revolvers.²⁵ Sanders' discussions with government officials culminated on May 14, his forty-seventh birthday, with an audience with Nicholas I. "He told me many agreeable things, amongst the rest that the object of my visit should be accomplished, and sent a message by me to the President of the United States." At a diplomatic dinner given by Nesselrode on May 16, Seymour and Sanders were guests of honor and many toasts were proposed to the future of Russian-American relations. At the end of the month Kleinmichel ordered the emperor's train to carry Sanders and Winans to Moscow, where they spent several days inspecting railroad equipment and facilities.²⁶

Upon return from Moscow Sanders formally signed the commercial agreement with the Russian-American Company. At the American's insistence, and through special dispensation of the tsar, the "treaty," as Sanders called it, was concluded for twenty years. The San Francisco company acquired monopoly rights for the sale not only of ice but also of coal, lumber, and fish in ports of western America, the East Indies, and Australia. Instead of paying a set price for the Russian colonial products, the American company

²³ Sanders to Pierce, April 26, 1854, Letterbook, *ibid.*

²⁴ Diary, 1854, *ibid.*

²⁵ Sanders to Saint Hill, May 1/13, 1854, Letterbook, *ibid.*

²⁶ Diary, 1854, various entries for May, *ibid.*



The Winter Palace, St. Petersburg as seen through the Nevski Prospekt Archway.
 From *Behind the Veil at the Russian Court* by Count Paul Valsili.

would guarantee the payment of Russian production costs but profits were to be divided after both companies had deducted both capital and operating expenses.²⁷ Such generous extension of privileges to an American can only be explained by the war mood in St. Petersburg and the need to supply Alaska by neutral ships during the war.

Sanders spent another six weeks in Russia waiting for a decision on his railroad construction bid. The proposal encountered more difficulties than expected, although he magnanimously offered to take five percent government bonds as an advance.²⁸ Because of wartime priorities (Winans' factory switched from railroad equipment to warship refitting), reservations about the adequacy of Sanders' capital, or Kleinmichel's inefficiency, Sanders left Russia without a contract. The gentleman from San Francisco continued to enjoy the best of Russian hospitality, however. He visited Kronstadt by special permission, saw Peterhof (where he again talked with the tsar), and toured the islands near the capital. At the new railroad station adjoining

²⁷ Though a complete manuscript copy of the "treaty" has not been found, the details are in Sanders to Hermann, June 4/16, 1854, Letterbook, SP, and in Directors to Voevodsky, June 8/20, NA, RG 261, RRAC, SR, 21, pp. 109-110.

²⁸ Sanders to Kleinmichel, June 5/17, 1854, Letterbook, Sanders Papers.



Grand Duke Constantine Nicolaievitch.
From *Behind the Veil at the
Russian Court*.

the Pavlovsk palace grounds, Kungle's Band played "Yankee Doodle" in his honor.²⁹

Sanders called on Nesselrode to take official leave on July 19. "The Count asked me to endeavor to negotiate Gov. Bonds in America for the fifty million loan. Said he would send me despatches to take to Washington and expressed much gratification at the successful termination of my business."³⁰ Grand Duke Constantine, standing in for his father, gave a farewell audience at Peterhof on July 24. During their conversation Constantine requested the American to enlist American engineers for employment in the navy factories at Kronstadt, and Sanders noted, "The Grand Duke appeared very anxious to establish . . . very intimate relations with America."³¹ And he summed up his own pro-Russian views in a letter to the grand duke written shortly before his departure.

These two nations ought to be good friends and allies. There neither exists, nor can arise any questions of policy . . . to disturb the friendly relations which have hitherto marked their intercourse with each other. Russia wants nothing America owns or desires to possess; and America does not covet anything which Russia has or desires to acquire; hence the two nations can go on to the fulfillment of their respective destinies without entertaining the slightest jealousy of each others prosperity and greatness.³²

²⁹ Diary, 1854, June 19, *ibid.*

³⁰ *Ibid.*, July 19.

³¹ *Ibid.*, July 24.

³² Sanders to Grand Duke Constantine, July 15/27, 1854, Letterbook, *ibid.* The Grand Duke apparently made quite an impression upon Sanders, whose son, born in July 1854, was christened Beverley Constantine Sanders.

Sanders was fully committed to helping Russia. He pointed out to Constantine that William L. Winans, through his brother in Baltimore, could hire engineers to convert Russian warships to screw-type propellers. And in London on his way home, Sanders persuaded Nathan Thompson, a marine steam engineer to offer his services to Russia. Samuel Colt, to whom Sanders had written about an initial delivery of 500 pairs of revolvers, contracted to furnish Russia with 50,000 guns in 1855.³³

The psychological, morale-boosting effect of Sanders' presence in Russia during the spring and summer of 1854, at the beginning of the Crimean War, is difficult to measure. From the reception he received his support must have been welcomed. The efforts of an American businessman to assist during a time of crisis no doubt impressed the Russians. Moreover, Sanders was probably more actively involved with leading government officials during his stay than any other American including Seymour and Winans. The optimism revealed in Sanders' letters concerning the future of Russian-American relations was probably repeated many times in conversations with high government officials, thus bolstering their determination to fight to a victorious conclusion. Specifically, Russia could now count on the supply of Alaska.

After returning to the United States in early September 1854, Sanders spent a few months with his family in Baltimore, but already he was carrying out his promise to help the Russians. On November 6 he ordered the construction of a 450-ton steamer for the Russian-American Company for \$54,000, "payments to be guaranteed by Mr. Edouard de Stoeckl, Russian charge d'affairs at Washington; the vessel to be delivered in the City of New York to said Beverley C. Sanders or his Agent, on or before the 15th day of May 1855."³⁴ And in December Sanders shipped a cargo of general provisions from New York to Petropavlovsk on the 840-ton sailing ship *Levanter*.³⁵

The quantity and variety of trade between the United States and the American and Asian ports of Russia increased remarkably after Sanders' return to California in January 1855. According to Russian records, 3,385 tons of ice were shipped from Alaska to San Francisco in 1855.³⁶ The brig., *William Penn*, left San Francisco for a Siberian port in

³³ Sanders to Grand Duke Constantine, Aug. 7/19, 1854, and Sanders to Colt, May 5/17, 1854, Letterbook, *ibid.*; Frank A. Golder, *Guide to Materials for American History in Russian Archives* (Washington, 1937), II, p. 11. Curiously, Golder reports that many of the commercial papers in the Russian archives for the 1854-1855 period were missing from their folders.

³⁴ "Contract with William H. Webb," New York, Nov. 6, 1854, Sanders Papers.

³⁵ "Charter Party, Invoice & Bill of Lading of Ship *Levanter*," Dec. 6, 1854, SP. After being turned away from the Russian port by a British squadron, the *Levanter* arrived at San Francisco in August 1855. Voevodsky to the directors, Sept. 16/28, 1855, NA, RG 261, RRAC, CS, 36, p. 129.

³⁶ Various letters from Voevodsky to the directors in 1855, NA, RG 261, RRAC, CS, 36.



Ross Winans (1796-1877). *Maryland Historical Society*

March 1855 with flour and 18,581½ pounds of gunpowder valued at \$8,933.22, "charged to the Russian government."³⁷ The 630-ton ship of the American Russian Commercial Company, the *Zenobia*, hauled a cargo of miscellaneous supplies to New Archangel in August and brought back ice, furs, lumber, and fish. These probably incomplete records reveal that Sanders shipped to Alaska and Siberia a considerable quantity of both military and non-military supplies during the Crimean War.

But the Russians were also in need of ships that could safely transport

³⁷ "Charter Party of Brig. Wm. Penn," signed by Daniel L. Carlton, captain, and Sanders, and "Invoice," dated March 17, 1855, Sanders Papers.

provisions to their outposts scattered along the coast of Alaska and among the Aleutian Islands. The *Astoria*, the modern steamer that Sanders ordered built in New York, was dispatched from San Francisco on September 12, 1855, to be turned over to General Vladimir Voevodsky, the governor-general of the Russian colony.³⁸ Although the ship was already paid for by the Russian-American Company, Sanders arranged for American registration and for an American captain and crew to serve the vessel in order to insure its neutrality. Similarly, a 287-ton bark, the *Cyane*, was purchased by Sanders for the Russian company and outfitted with American flag and crew.³⁹ These two ships not only supplied the Russian outposts during the war, but also served in later years as the two most important "workhorses" of the Russian-American Company's small fleet in Pacific waters under their new names of *Alexander II* and *Nakhimov*, respectively.

Having done so much to earn Russian good will, Sanders, ironically, was very suddenly ejected from leadership of Russian-American Pacific trade. On November 5, 1855, the Banking House of Sanders and Brenham failed. This financial reversal requires an explanation, especially since Sanders had been held in such high esteem by the San Francisco business community just two years before. Complete details, unfortunately, are not available, but newspaper reports attributing the bank failure to natural causes (a depression year) probably did not relate the whole story, for Sanders' associates in the American Russian Commercial Company were prominent bankers and merchants who could have rescued their president. Moreover, the trading company was little affected by the bank collapse. The fact that Sanders was quickly removed from the leadership of the company while his banking partner, Brenham, retained a position as secretary arouses suspicion that a conspiracy had been formed to cause a run on the bank in order to ruin Sanders' business reputation and thereby ease his displacement from leadership of the trade with Alaska.⁴⁰

But why would leading stockholders of the American Russian Commercial Company want to remove Sanders? Some of them may have resented his success in St. Petersburg and disapproved of such active assistance to the Russians in time of war. Most of the supply of Alaska, it is true, was conducted outside of the American Russian Commercial Company, but in the summer of 1855 Sanders insisted upon using the *Zenobia*, a company ship,

³⁸ Sanders to T. A. Harris, captain of *Astoria*, Sept. 12, 1855, *ibid.*

³⁹ Voevodsky to Sanders & Brenham, Feb. 18/March 2, 1855, and Voevodsky to Captain Kentzell, May 28/June 9, 1855, NA, RRAC, CS, 36, pp. 26, 68.

⁴⁰ "Continuation of the Annals of San Francisco," comp. Dorothy H. Huggins, *California Historical Society Quarterly*, XVI (1937), p. 338. Those stockholders with over 100 shares were: Charles J. Brenham (203), Charles Baum (190), Henry S. Dexter (174), Henry B. Edwards (240), Abel Guy (390), Lucien Hermann (251), Samuel J. Hensley (200), Samuel Moss, Jr. (190), Archibald C. Peachy (200), Beverley C. Sanders (203). "List of Stockholders—American Russian Commercial Company, San Francisco, July 25, 1855," Sanders Papers.

to carry gunpowder, specially requested by Voevodsky (for hunting), to Alaska.⁴¹ This was apparently the cause of a serious quarrel between Sanders and Lucien Hermann, the vice-president, since the ship would be liable to seizure by British or French squadrons in the Pacific for carrying contraband.⁴²

Russians later blamed the failure of sales of Alaskan products to live up to their expectations on Sanders, who "had insufficient capital" and "absconded with funds" of the American company.⁴³ But they were only searching for excuses. Sanders obviously did lack sufficient capital to survive the financial storm, but it is quite possible that Sanders had unwisely invested his own capital on Russian orders for supplies without waiting for slow transfer of exchanges from St. Petersburg to San Francisco. Still he was one of the wealthiest men in San Francisco in 1855.⁴⁴ Moreover, Sanders remained in California for another two years attempting to straighten out his affairs and, although he was forced to sell most of his property, he continued to hold stock in the American Russian Commercial Company until 1858, and even then the shares were only transferred to Solomon Hillen, Jr., his wife's uncle, who had been helping Sanders during the difficulties.⁴⁵

The "Sanders Treaty" of 1854 remained the basis of California-Alaska trade until 1860, when a new governor-general, Ivan Furuhelm, obtained its cancellation.⁴⁶ The Russians believed by this time that the agreement gave all of the advantage in the trade to the Americans, and, in fact, the rather unique profit sharing arrangement that Sanders had worked out, proved to be impractical. Disagreements over production and marketing costs, the problem of communications between San Francisco, New Archangel, and St. Petersburg, and the differences in business attitudes between Russians and Americans prevented a harmonious relationship.

But the agreement, to some degree, had benefited both companies. It had encouraged the Russians to invest heavily in equipment and new construction in Alaska and thereby had resulted in a fair test of the marketability of Alaskan products in California. Approximately 4,000 tons of ice a year was

⁴¹ Voevodsky to Sanders, June 6/18, 1855, NA, RG 261, CS, 36, p. 91, and Voevodsky to the directors, Sept. 30/Oct. 12, 1855, *ibid.*, p. 139.

⁴² Brenham to Sanders, Sept. 16, 1855, Sanders Papers.

⁴³ P. N. Golovin, "Obzor russkikh kolonii v Severnoi Amerike" (report presented to Grand Duke Constantine, Ministry of Navy), *Morskoi Sbornik*, LVII, No. 1 (January 1862), pp. 124-125. Captain Golovin was an official inspector for the Russian navy.

⁴⁴ In 1853 Sanders owned property in and around San Francisco valued at about \$100,000. In addition, "Sanders and Brenham" held 250 shares (\$25,000) of the \$150,000 capital of the San Francisco Gas Company and 400 shares (\$40,000) of the \$300,000 capital of the American Russian Commercial Company. "Will: Beverley C. Sanders," July 29, 1853, executors Charles J. Brenham, Lucien Hermann, and James C. Ward, Sanders Papers.

⁴⁵ Solomon Hillen, Jr., to Sanders, Feb. 18, 1857; receipt signed by S. Hillen Hunter, Jan. 5, 1858; and various letters from Mrs. Sanders to her husband in 1856, 1857, and 1858, SP. Sanders' wife had an independent income and the Hillen family came to their assistance during the financial setbacks.

⁴⁶ Furuhelm's reports from San Francisco are in NA, RG 261, RRAC, CS, 41, pp. 63-68.



"Alexandroffsky" Estate of the Winans Family, Baltimore. Demolished in 1927.
Maryland Historical Society

exported annually to San Francisco, mainly from Wood Island near Kodiak, in the 1860's. Although it was a long haul by sea, Alaskan ice was cheaper than mountain lake ice brought by railroad and remained a profitable item of business in San Francisco until about 1880. But the overall results of California-Alaska trade were not encouraging to the Russians. Coal, which had raised expectations in 1854, was of poor quality for steamers or for gas manufacture, and the Russians lacked the resources for adequate development. Fish and forest products were closer at hand. And Sanders himself had noted in 1854 that "the prospects for the sale of beaver skins is very unfavorable mostly owing to the silk hats" and that the prices of otter and seal skins in London were quite depressed.⁴⁷ Alaska, it turned out, had very little besides ice that California could use.

Sale of California products in the Russian territories fell sharply after the Crimean War because of high prices and rising competition from the Hawaiian Islands and, after 1860 from Vancouver and Victoria in British Columbia. The big business of the North Pacific in the 1850's was whaling, and the New England based ships that came by the hundreds to northern waters often carried cargoes of relatively cheap home products as ballast to exchange for furs at the native settlements along the coast.

⁴⁷ "Furs and Peltries," undated memorandum, Letterbook, Sanders Papers.

The man who had been largely responsible for this test of Russian-American trade in the Pacific left California in 1858 after an unsuccessful silver mine venture. He returned to Baltimore where he regained modest business and political positions and was president of the Maryland Club during the Civil War. In the 1870's Sanders worked in the New York Customs Office and died at his home in Newark, New Jersey, on Christmas Day, 1883.⁴⁸ His role in Russian-American trade was nearly forgotten and not even mentioned in his obituaries, but momentos were passed to descendants, to whom history eventually became legend. The obituary of his son, Beverley Constantine Sanders, reported, "Mr. Sanders' father was first Collector of the Port of San Francisco and during President Fillmore's administration he served as Minister of the United States to Russia."⁴⁹

⁴⁸ *New York Times*, Dec. 27, 1883; B. T., *In Memoriam*, pp. 4-5.

⁴⁹ *New York Times*, March 14, 1934.

SIDELIGHTS

ON UNTIEING THE KNOT: THE MARYLAND LEGISLATURE AND DIVORCE PETITIONS*

BY JAMES S. VAN NESS

WHEN our forefathers joined hands in holy matrimony and vowed to remain husband and wife "till death us do part," they really tied a lifetime knot. Unlike our age, there was no annual divorce rate in colonial Maryland.

All marriages sanctified in church ceremonies were not, in fact, made in heaven.¹ Some unhappy colonists found themselves fixed to mates who seemingly had a compact with the devil. Still, no formal procedure existed within the colony for obtaining a divorce. Once very early in Maryland history, in 1638, the assembly read twice and ingrossed "An Act for the erecting of a County Court" which provided, in part, that:

. . . all causes whatsoever civill determinable in any Court of common Law in England and for all causes for recovery of Legacy's and all Causes matrimonial (forasmuch as concerns the triall of Convenants and Contracts and the punishment of faults committed against the same) and all offences of incest attempting of another's chastity defamation temerarious admircōn detention of Legacy's clandestine marriage without beanes thrice published on bond entered in the Court and all Crimes and offences whatsoever . . . shall be heard and determined finally by and before the chief Justice of the Province. . . .²

Alas, those poor souls residing with a shrew and any other person seeking a legal way to dispose of a mate must have cried out in agony, for the act was disallowed.³ Rejection of the act dashed all hope for those seeking to break the marriage knot—or almost all hope.⁴

Members of the Maryland legislature sought from the outset to claim various powers not clearly granted them in the charter of 1632; thus, they tried in the first session called by Charles Calvert to enact laws not presented by the Proprietor. Often, as with this early effort to gain power, the colonists were rebuffed but not deterred. From time to time the assembly considered granting divorce decrees through the legislative process. Petitions submitted

* This sidelight comes from a general study of constitution-building in Maryland which is being supported in part by a grant from the University of Maryland General Research Fund.

¹ Maryland law authorized only religious weddings. The first marriage law was passed in 1640. Williams H. Browne, et. al. eds., *Archives of Maryland* (70 vols. to date; Baltimore, 1883-present), I, p. 97. A second law was passed in 1702. Thomas Bacon (comp.), *Laws of Maryland* (Annapolis, 1765), 1702, chap. I. Cited hereafter as Bacon, *Laws*.

² *Archives of Maryland*, I, p. 47.

³ Bacon, *Laws*, 1638, chap. VIII. Apparently until 1642 the assembly only had power to confirm or reject laws drafted by the Lord Proprietor. Charles M. Andrews, *The Colonial Period of American History* (4 vols., New Haven, 1934-1938), II, p. 302n.

⁴ Even that hope might well have been very slim. The proposed law gave the court power over issues determinable in common law. In Britain divorce decrees were only granted through ecclesiastical courts until late in the seventeenth century. Maryland never had an ecclesiastical court.

for this purpose were exceedingly rare, but the fact that they were considered at all lent a ray of hope to those seeking freedom from marital ties.

Virtually all powers sought by the colonial Maryland legislature were modeled on Parliamentary precedent. This applied to granting divorces. The first private act granting a divorce decree passed by Parliament was in 1669.⁵ Maryland legislators considered a petition for a similar private act in 1700.⁶ Neither this nor subsequent petitions for divorce bills reached the voting stage in either house for two thirds of the century.

All did not abandon hope. Gilbert Barrow petitioned the legislature for a divorce in 1771.⁷ When his plea reached the lower house that body called for further information.

Ordered, That the Petition of Gilbert Barrow be heard at the Bar of this House on Monday the 11th Instant; and that the wife of the said Gilbert Barrow be served with a Copy of the said Petition, and of this Order, by Tuesday next at the farthest.

Ordered, That the Parties, upon their Application to the Clerk of this House, have Summonses for such Witnesses they may think necessary.⁸

The fateful day arrived, but Barrow's plea for independence was not heard. The lower house "referred till To-Morrow Morning" his petition.⁹ After the additional delay Barrow had his moment. Undoubtedly his face fell when the delegates rendered their decision.

The Order of the Day being read, the House took into Consideration the Petition of Gilbert Barrow, and after having heard the Evidence relative to the several Matters set forth in the said Petition, and having maturely considered the same; Ordered, That the said petition be rejected.¹⁰

Hapless Gilbert still had a wife; and then paid for his efforts to rid himself of her! "Ordered, That Gilbert Barrow pay the Fees to the several Officers of this House arising due on the said petition."¹¹ The cost proved substantial: £4.18.6; enough to discourage most persons from trying a similar venture.

Following Barrow's failure only one other person asked the colonial assembly for a divorce. This time a woman petitioned: one Mary Ann Christy Abigail Armitt. Actually, she sought an annulment. Her petition, first read in the lower house on November 30, 1773, requested that: "an Act may pass to declare her marriage with a certain *Samuel Armitt*, null and void to all Intents and Purposes whatsoever, as fully and effectually as if the same had

⁵ Sir William Holdsworth, *A History of English Law*, ed. by A. L. Goodhart & H. G. Hanbury (7th ed., 16 vols. to date; London, 1956-present), I, pp. 622-24; x608.

⁶ *Archives of Maryland*, XXIV, pp. 151, 197, 237.

⁷ *Ibid.*, LXII, p. 20.

⁸ *Ibid.*, p. 142.

⁹ *Ibid.*, p. 165.

¹⁰ *Ibid.*, p. 166.

¹¹ *Ibid.*

not been had or taken place. . . ."¹² As with Barrow's petition, the delegates scheduled a hearing, but later postponed it to the next legislature session. When that legislature met, in 1774, neither the petition nor the proposed hearing were mentioned. Mary Ann's wish was not granted, but her possible disappointment was not heightened by receipt of a bill for fees connected with the case.

After the legislature dismissed the Armitt case it did not receive any further petitions for divorce during the colonial period. The revolution against British rule and subsequent overthrow of Proprietary government in Maryland brought many changes, but none regarding divorce. Under state government the only apparent hope was as before: passage of a private bill granting the request.

The strange case of Charles and Lilly Blair tested the state legislature's concern for a couple in trouble. Precipitated by an earlier legislative enactment establishing procedures for confiscating British loyalists' property, the petitioners asked in May 1781 that their marriage be confirmed and Lilly receive her former husband's property.¹³ Back in 1758 Lilly married one Alexander Hamilton. The scoundrel left her several times, going to sea. Finally he took off permanently and, Lilly claims (and probably hoped), drowned. After learning of Hamilton's demise she married Charles Blair and brought as part of her dowry the land and slaves presented to Hamilton by her father and other relations.¹⁴ With passage of the confiscation act, the land, still in Hamilton's name, became subject to state seizure. Not surprisingly, the Blairs sought relief. Arguing that Hamilton was dead and his property rightfully belonged to Lilly, the Blairs pled for an act "to confirm her second marriage, and to legitimate the issue of such marriage, and also to vest the right and title of said lands and slaves in her and her issue."¹⁵ Two days after reading the petition the house referred it to a special committee.¹⁶ Committee members lacked sufficient time to complete their investigation before the session ended, but continued working on the question. Because one vital point at issue was the fate of Alexander Hamilton the committee sought information in England. The November legislative session came and went with no relief for the Blairs. Finally, in May 1782, the committee reported on the Blair petition.

Your committee find, that for many years before the intermarriage of the aforesaid Lilly with the aforesaid Charles Blair, it was currently reported and generally believed, that the aforesaid Alexander Hamilton was drowned. . . . That your committee are fully persuaded, that the said Alexander Hamilton was, a

¹² *Ibid.*, LXIV, p. 106.

¹³ *Maryland House Journal*, May 1781 session, p. 125.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ *Ibid.*, p. 132.

few months ago, living (in England) and has married another wife, by whom he has several children.¹⁷

Because of the "peculiar situation in which the poor woman was left," and since she had brought to her marriage with Hamilton not only the background of "a most reputable family," but also "an handsome fortune," the committee recommended confirming to her the land and slaves willed to her former husband.¹⁸ Apparently the committee members concluded that her former marriage to Hamilton was dissolved by his extended absence "beyond the Seas," and her present family name needed no further protection. This conjecture is based on a section in the British statute 1 James I. Chapter II, "An ACTE to restrayne all persons from Marriage until their former Wyves and former Husbendes be deade," which the colonial legislature introduced into Maryland in 1706.¹⁹ While the British statute made bigamy a felony punishable by death, it contained an escape for persons in Lilly's predicament:

... That this Act nor any thing therein conteyned, shall [not] extende to any person or persons whose Husband or Wife shalbe continuallie remayninge beyond the Seas by the space of seaven years together, or whose Husband or Wife shall absent hym or her selfe the one from the other by the space of seven years together, in any part within his Majesties Dominions, the one of them not knowinge the other to be livinge within that tyme.²⁰

Although Alexander Hamilton returned to his wife Lilly twice after their marriage for periods of two or three months each, he was away from home "beyond the Seas" for "the space of seven years together" before she married Charles Blair. So the committee members may well have concluded she, in effect, had a divorce by default. Whatever their reasoning, the delegates granted Lilly title to her land and slaves but did not issue a divorce decree.²¹

Charles and Lilly Blair's problems were complex and the house of delegates worked carefully to make a fair, reasonable decision. The legislators perhaps showed a streak of conservatism by limiting their private act to confirming Lilly's property. A few years later they faced a rather more simple problem which took them much farther along the road to granting legislature divorce decrees. Indeed, the petition of John Sewell stimulated a landmark act in Maryland legislative history.

John and Eve Sewell were happily married and living in Talbot county. Sometime after their marriage Eve apparently became dissatisfied with John. She may have disguised this feeling from her husband for a while. But the addition to the family of a child obviously not fathered by John revealed her true sentiments. After Eve was found guilty of charges brought against

¹⁷ *Ibid.*, May 1782 session, p. 115.

¹⁸ *Ibid.*

¹⁹ Bacon, *Laws*, April 1706, Chap. VIII.

²⁰ 1 James I, Chap. 11.

²¹ Alexander C. Hanson, comp., *Laws of Maryland* (Annapolis, 1787), April 1782, chap. XIV.

her in the county court John petitioned the legislature for a divorce decree. A copy of the trial record easily confirmed Sewell's claim and the legislature proceeded to pass:

An ACT for annulling the marriage of John Sewell, of Talbot county, and Eve his wife.

Whereas John Sewell, of Talbot county, by his petition to this general assembly hath set forth, that his wife Eve hath been convicted of adultery and of bearing a mulatto child; and that in consequence of the said conviction, his said wife and her child were condemned to servitude, and sold, agreeably to the act of assembly in such case made and provided, . . .

II *Be it enacted by the General Assembly of Maryland*, That the marriage of the said John Sewell and Eve his wife, be and the same is hereby declared to be absolutely, and to all purposes, null and void.

III *Provided always*, That nothing in this act contained shall be construed to illegitimate any issue of the said John Sewell and Eve his wife, lawfully begotten prior to the birth of the said mulatto child. . . .²²

With the annulment of John Sewell's marriage the Maryland legislature had established a precedent which expanded for half a century. The house of delegates heard an increasing number of petitions for the dissolution of marriage in subsequent years. At first the legislature only granted annulments, based generally on adultery, but gradually it accepted other arguments.²³ In the early cases alimony was not considered; that was left to judicial determination through chancery proceedings, a practice extending back well into the colonial period. Ultimately the general assembly not only granted divorce decrees but went so far as to include an alimony settlement in one of its decisions. That prompted a suit which successfully challenged the constitutionality of the law. Finally the question of legislative divorce decrees was resolved by the state constitutional convention of 1851. The convention wrote into the new constitution a strict prohibition against legislative divorce decrees: "No divorce shall be granted by the General Assembly."²⁴ This brought an end to one of the more curious aspects of Maryland legislative history.²⁵

²² William Kilty, et al. comps., *The Laws of Maryland* (7 vols.; Annapolis, 1799-1820), II, Nov. 1790, chap. XXV. Eve Sewell must have been convicted under an early 18th century law which provided "That any White Woman whether Free or a Servant, that shall suffer herself to beget with Child by a Negro . . . ; such Woman, so beget with Child as aforesaid, if free, shall become a Servant for and during the Term of Seven Years. . . ." Bacon *Laws*, 1715, XLIV, sec. 26. Eve Sewell was presented at the June 1787 Talbot County court for adultery and bearing a mulatto bastard. The case was continued until the June 1790 court when she pleaded guilty. She was sentenced to serve seven years; her son John was to serve until he was thirty-one. The two were sold to Thomas Maysay for five shillings current money. Talbot County Criminal Judgments, 1785-1791, Maryland Hall of Records, Annapolis.

²³ See for example, "An Act Annuling the marriage of Jerome Bonaparte, and Elizabeth Bonaparte of the city of Baltimore." Kilty, *The Laws of Maryland*, IV, Nov. 1812, chap. CXXX. Jerome was the brother of Napoleon Bonaparte of France.

²⁴ Maryland Constitution of 1851, Art. III, sec. 21.

²⁵ For a general survey of the subject see: Carl N. Everstein, *Divorce in Maryland*, Research Report No. 25, Research Division, Legislative Council of Maryland, Baltimore, 1946.

MENCKEN AND THE NAZIS: A NOTE

BY FRANK TURAJ

THE mistaken idea that H. L. Mencken was in sympathy with the Nazi movement, an idea with substantial currency, results from his having forced so much attention upon his Germanophilia and upon his Central European sensibility. His prose was studded with foreign phrases a (surprising proportion of them *not* German). His favorite restaurants, foods, drinks, philosophers, composers, etc., were German, or at least Central European. He was anti-democratic, which seemed to take him out of the American political mainstream. And he was antagonistic to the middle-class, which seemed to remove him from the social mainstream of a dominantly Anglo-Saxon culture.

Mencken set the background for this misunderstanding during World War I. When anti-German feeling in America was virulent, he identified with Germany against England. Although this was an intellectually respectable position at the time—not nearly as “alien” as it seems in retrospect—in a society still sentimentally attached to England, it was bound to leave him marked. In 1914 he offered an article to Ellery Sedgwick for the *Atlantic Monthly* along the following lines: In Germany “the old aristocracy of birth and vested rights has given place to a new aristocracy of genuine skill, and Germany has become a true democracy in the Greek sense. That is to say, the old nobility has taken a back seat and the empire is now governed by an oligarchy of its best men.”¹ Only a small minority of Americans would have cared, at the time, for this essentially Jeffersonian encomium. It was disturbing to the national mood that he found these qualities in Germany rather than in England.

Mencken continued to favor Germany until America entered the war. Dreiser once wrote Mencken: “Personally I think it would be an excellent thing for Europe and the world—tonic—if the despicable British aristocracy—the snobbery of English intellectuality were smashed and a German Vice-Roy sat in London.”² Mencken agreed and responded in kind.³ But after American direct involvement his attitude was sharply modulated. He wrote to Sedgwick: “I don’t want to appear as a spokesman of Germany for I am an American by birth and the son of native born Americans.”⁴

¹ H. L. Mencken to Ellery Sedgwick, Sept. 1, 1914 in Guy J. Forge, ed., *Letters of H. L. Mencken* (New York, 1961), p. 49. The article was printed as “The Mailed Fist and Its Prophet,” November, 1914.

² Theodore Dreiser to H. L. Mencken, Nov. 10, 1914 in Robert H. Elias, ed., *The Letters of Theodore Dreiser* (Philadelphia, 1959), p. 181.

³ William Manchester, *H. L. Mencken: Disturber of the Peace* (New York, 1962), p. 110.

⁴ Mencken to Sedgwick, May 22, 1915, in *Letters of Mencken*, p. 71f.



Henry L. Mencken (1880-1956). *Photo Courtesy of Enoch Pratt Free Library*

Mencken's detractors were willing to point up the German bias in order to inflate the anti-American notion, not indicating that the two need not go hand-in-hand. Stuart Pratt Sherman, in an essay entitled "Beautifying American Letters," complained:

Mr. Mencken is not at all satisfied with life or literature in America, for he is a lover of the beautiful. We have nowadays no beautiful literature in this country with the possible exception of Mr. Dreiser's novels. . . . Probably the root of our difficulty is that, with the exception of Mr. Huneker, Otto Heller, Ludwig Lewisohn, Mr. Untermeyer, G. S. Viereck, the author of "Der Kampf um deutsche Kultur in America," and a few other choice souls, we have no critics who, understanding what beauty is, serenely and purely love it.⁵

In some of his attacks, Sherman himself betrayed the special Anglophilia that motivated him, just as he charged that Germanophilia motivated Mencken. In a lampoon of a meeting of the new critics, Sherman wrote: " 'Where shall we *fressen*? ' says Mr. Mencken. 'At the Loyal Independent

⁵ *Nation*, 105 (Nov. 29, 1917), p. 593.

⁶ *Americans* (New York, 1924), p. 11.

Order of United Hiberno-German-Anti-English-Americans,' says Mr. Hackett. 'All the New Critics will be there. Colum, Lewisohn, Wright and the rest.'"⁶

This kind of ethnic sniping at Mencken continued all through the twenties, its quality scarcely varying with the intellectual level of the complainant. It contributed, not surprisingly, to the later misunderstanding of Mencken's position on Germany under Hitler, a misunderstanding complicated by the fact that Mencken underestimated the developments in Europe in the thirties. When he did comment, he was, it seems, unwholesomely humorous and, as he had always been, provocative and provoking. This led even friends and colleagues to ascribe to him views which were far from his. One of them even refused to have anything to do with him because he was "a Hitler lover."⁷

The ultimate truth is, however, that Mencken had nothing but repugnance for Hitler and the Nazi development. As early as 1934 he wrote, "I see nothing ahead in Germany save more disorders. My guess is that Hitler himself will be bumped off very soon [by the Junkers]. My belief is that every really intelligent German longs for them to cut loose."⁸ In 1935 he called the Nazis a "gang of lunatics." He further dissociated himself by adding, "all my friends in Germany seem to be in opposition—that is, all save a few damn fools. . . ."⁹ This disposition continued. Eleven years later, after World War II, in a letter to a German friend, heretofore unavailable, he wrote: "Schönemann seems to me to be a very foolish fellow, and I am thus not interested in his operations. When he told me in Berlin [during Mencken's 1938 visit to Germany] that he had joined the Nazi party I was really appalled."¹⁰ It is worth noting that the letter was written to a German and not to someone who might have evoked an apologetic attitude. And it is worth noting that it was written well after any kind of special anti-Nazi attitude was called for by the times. This new fragment of evidence helps substantiate that Mencken never had any sympathy for Hitler or the Nazi movement. That notion ought finally to be discarded.

⁷ Charles Angoff, *H. L. Mencken: A Portrait from Memory* (New York, 1956), p. 168. Angoff links Mencken's alleged pro-Hitlerism with an equally spurious anti-Semitism. His book appears to be the source for a number of repetitions that seem questionable. In many cases the principals are dead. In one instance Angoff is contradicted by one of the parties to an alleged incident, Alfred A. Knopf. See H. Alan Wycherley, "Mencken and Knopf: The Editor and His Publisher," *American Quarterly*, XVI (Fall, 1964), 460-472. Angoff's portrait from memory seems to be always to Mencken's detriment.

⁸ Mencken to Richard J. Beamish, July 7, 1934, in *Letters of Mencken*, p. 376.

⁹ Mencken to Dreiser, Jan. 15, 1935, in *ibid.*, p. 386.

¹⁰ Letter to Georg Kartzke, November 25, 1946. Dr. Kartzke's widow has given this writer a copy-set of the Mencken-Kartzke correspondence, which is otherwise unavailable, with blanket permission for use.

NOTES ON MARYLAND HISTORICAL SOCIETY MANUSCRIPT COLLECTIONS

THOMAS CRADOCK SERMONS

BY DAVID C. SKAGGS AND F. GARNER RANNEY

THROUGH the generosity of the Rev. Thomas Cradock Jensen of Garrison, the Maryland Diocesan Archives, housed in the Maryland Historical Society, have been enriched by the addition of approximately one hundred manuscript sermons ascribed to the Rev. Thomas Cradock. They augment five other Cradock sermons in the archives, which had been given in the mid-nineteenth century by Thomas Cradock Walker to the Rev. Dr. Ethan Allen, then Historiographer of the Episcopal Diocese of Maryland, and other documents relating to this clergyman. In total they constitute one of the largest extant collections of the writing of a colonial Anglican minister.

Parson Cradock (1718-1770) was the son of Arthur Cradock, tailor, and Anne Marson of Trentham Parish, Staffordshire. He attended the Trentham Free School and studied at Magdalen Hall, Oxford University, before being ordained by the Bishop of Lichfield and Coventry and serving briefly as a schoolmaster and curate in Staffordshire and Warwickshire. In early 1744 the young priest secured license from the Bishop of London to come to Maryland and he became the first rector of the newly-formed St. Thomas's Parish in western Baltimore County the following year.

After marriage to Catherine Risteau, daughter of Sheriff John Risteau, in March 1746, the rector received as a gift a farm at what is now the junction of Cradock's Lane and Reisterstown Road. Here the couple built a modest dwelling called "Trentham" which with additions remained the Cradock family home for over two-hundred years. Besides his clerical duties, the Rev. Mr. Cradock was a schoolmaster, poet, and an honorary member of the Tuesday Club of Annapolis. He published three works: *Two Sermons, with a Preface Showing the Author's Reasons for publishing them* (Annapolis, 1747), *A Poetical Translation of the Psalms of David. From Buchanan's Latin into English Verse* (London, 1754), and *A New Version of the Psalms of David* (Annapolis, 1756). (Copies of these exceptionally rare works are in the Maryland Historical Society library.) Around 1763 he suffered a paralysis which plagued him the rest of his life and which necessitated the use of an amanuensis. This fact explains the variety of hands in which the sermons were written and makes positive identification of many with Cradock

virtually impossible. The fact that they remained at "Trentham" over these years and that many of them bear notations such as "Preached at St. Thomas's June 1768" cause one to suspect many were composed by Parson Cradock.

The Maryland Historical Society's Cradock Papers, MS. 196, contain two additional sermons of Thomas Cradock, some poetry ascribed to him and other literary dillettants of "Trentham," a few commonplace books probably kept by his students, a letter to him, and other documents relative to his career.

Mr. F. Garner Ranney, Archivist of the Diocese of Maryland, is to prepare these sermons for use by scholars, and Professor David C. Skaggs of Bowling Green State University is engaged in a study of Cradock's life and thought using the sermons as the principal source of information. The donor has placed a temporary restriction on the gift that requires that extensive quotation from the sermons receive the approval of Professor Skaggs before publication. However, the sermons are available for consultation by scholars interested in the Anglican church in colonial America.

ACCESSIONS OF THE MANUSCRIPT DIVISION SINCE
THE PUBLICATION OF *MANUSCRIPT COLLECTIONS*
OF THE MARYLAND HISTORICAL SOCIETY¹ IN
AUGUST, 1968.

V

Meredith, Thomas, Papers (MS. 1796). Business papers—accounts, receipts, bills—and correspondence; 6 boxes, 1800-69. Donor: Not known.

Methodist Episcopal Church Receipts (MS. 1768). Receipts from these Baltimore churches—Baltimore City Station, Light Street, Eutaw Street, First—and receipts from South Burial Ground, Mt. Olivet Cemetery, and Oliver Hibernian Free School; 200 items, 1824-1905. Donor: Edwin Schell.

Miles-Windsor Correspondence (MS. 2012). Personal letters from the Duchess of Windsor to her friend, Eleanor Addison Williams Lanahan (later Mrs. Clarence Miles); 9 items, 1948-69. Donor: Mrs. Clarence Miles.

Military, Miscellaneous, Collection (MS. 1146). Muster rolls, oaths of allegiance, accounts, payrolls, pensions, etc.; 200 items, 1777-1823. Donor: Not known.

Minutes of the Poor for Baltimore County and City (MS. 1866). Regulations, accounts, etc., which deal with the administration of welfare services in Baltimore city and county including the Almshouse, Bayview Asylum and Baltimore City Hospitals. Also on microfilm; 8 vols., 1833-1935. Donor: Board of the Baltimore Department of Social Services.

Miscellaneous Account Books (MS. 1688). Daybooks of a grist mill and cotton factory in St. Marys County, cash book of store in Dover (Baltimore Co.?), canal work book, printer's account book, Annapolis account book of Randall & Delozier; 5 vols., 1773-1837. Donor: Not known.

Mitchell, John W., Port Tobacco Records (MS. 1728). Legal and personal papers of lawyers Walter H. Mitchell, William B. Stone, John W. Mitchell and John H. Mitchell from 1838-1901; material on Charles County Court, 1796-1890, including trial dockets, wills, suits, etc.; Charles County tax receipts, 1860-1902; plats and surveys, list of voters and Justices of the Peace, 1878-79; material on Port Tobacco merchants, 1820-80; 1 vol. and 542 items, 1768-1935. Donor: J. Richard Rivoire.

Mitchell, Robert, Military Records (MS. 1723). Military service records of Robert Mitchell of Baltimore, Spanish American War Veteran; 25 items, 1910-46. Donor: Estate of Mrs. Emily Stewart Mitchell.

Moffett, E. W. & Bros., Account Book (MS. 1659). Accounts of this grocery firm located at 108 N. Gay Street, for 1868, lists various commodities. Many accounts with William H. Moffett, Sr. Some news clippings pasted on first

¹ Indexed listing and description of 1724 of the Society's collections. Available from the Society for \$15.00.

pages pertain to Lincoln, death of U. S. Grant, also Baltimore theatre programs for 1889; 1 vol., 1868, 1880-89. Donor: Not known.

Morgan Papers (MS. 1853). Personal papers of Samuel T. Morgan and daughter. French and German copy books, 1858. Also correspondence and papers with other family members including bills, guest list for wedding of Mollie McCay to S. T. Morgan; 28 items, 1858-1921. Donor: Mrs. Rowland Morgan, Jr.

Mount Washington Casino Cash Book (MS. 1741). Record of this Baltimore suburban social club founded in 1883 and run by the Lend-A-Hand Club shows membership dues, and bills for entertainment including music; 1 vol., 1883-90. Donor: Not known.

Murray Family Papers (MS. 1391). Correspondence between Magnus M. Murray, his parents, Commodore Alexander Murray and Mary M. Murray, and his brother, Alexander M. Murray, 1812-23. Also legal papers of James B. Murray, 1856-68. Undated biography of Nicholas Trevanion; 53 items, 1812-68. Donor: Mrs. C. G. Ramsay Leigh.

Myers, Thomas A. & Co., Ledger (MS. 1648). Ledger of this Baltimore lumber firm for the years 1929-32 when company was being dissolved, ends with death of Thomas A. Myers in 1932; 1 vol., 1929-32. Donor: Philip Myers.

Nanjemoy Undertakers Record (MS. 1721). Copy of undertaker's record, supposedly from Nanjemoy in Charles County, giving costs of funerals and names of deceased; 1 vol., 1892-97. Donor: Dr. Richard D. Mudd.

National League of American Pen Women, Baltimore Branch, Scrapbooks (MS. 1892). Includes achievements, Branch certifications, minutes, committees and officers, original membership cards, odd numbers of *The Pinion* and *The Owl*; 2 boxes, 6 scrapbooks, 1922-58. Donor: Miss Margaret Coyne.

Naval District Papers (MS. 1668). Papers of the First, Second, Fourth and Ninth Naval Districts relating to import and export duties, lighthouse duties, etc. Papers give name of ship, master, tonnage, cargoes, and duties paid on enumerated articles. Also manifests for inbound and outbound cargoes for Patuxent in 1787; 214 items, 1780-92.

Norbury, Tacy Burges, School Papers (MS. 1885). Two work books of Tacy Burges Norbury as a school girl. Daily record noting attendance, behavior, and spelling ability, and her Arithmetic Book; 2 vols., 1812-19. Donor: Sstate of Tacy Norbury Campbell.

North East Forge Account (MS. 1693). Accounts kept at the forge by Thomas Randall for the Principio Co. covering expenses of the forge and his personal expenses as agent; 1 vol., 1771-82. Donor: Not known.

Notes on Theater Entertainments in Baltimore (MS. 1845). Lists month by month for forty years the entertainments of the various Baltimore theaters, primarily the Holliday, Front Street, Concordia, Fords, and the

Academy of Music. Also a description of a Jenny Lind performance in Baltimore in 1850; 45 items, 1850, 1861-1901. Donor: Mrs. Frances Cathcart Jordan.

Old Otterbein Church Records (MS. 1771). Six volumes of records for this Baltimore church, the first two in German. Also a mimeographed copy of the church's history; 6 vols., 1785-1965. Donor: Old Otterbein Church.

Paint and Powder Club Archives (MS. 1735). Scrapbooks, programs, photographs, musical scores, scripts, financial statements, letters, memberships, etc., concerning the productions of this men's theatrical club. Also 82 slides with narrative on their play, *Past Imperfect*; 5 vols. and 10 boxes, 1894-1971. Donor: Paint and Powder Club through G. Van Velsor Wolf and Arnold Wilkes.

Politico-Literary Club Papers (MS. 1737). Collection of papers, mostly typescripts, read before this Baltimore club whose members were prominent men in their fields, most associated with Johns Hopkins University. Topics discussed included history, economics, religion, politics, poetry, current literature, medicine and applied science; 9 boxes, 1900-42. Donor: Not known.

Pouder, G. Harry, Collection (MS. 1888). Includes Pouder's writings and many scrapbooks of newsclippings. Collection concerns world, national, and local events, Baltimore Association of Commerce, Charcoal Club, and various theater organizations; 17 vols., 1913-55. Donor: Estate of G. Harry Pouder.

Powell-Waring Letters (MS. 1700). Civil war correspondence from S. B. and M. M. Waring stationed in Virginia to their sister, Cora Waring, in Alabama and correspondence on the war, between Dr. Alfred H. Powell of Leesburg and family and friends; 7 items, 1861-65. Donor: Miss Cora B. Powell.

Pratt, Enoch, Correspondence (MS. 1835). 22 cards and letters from Pratt to Mrs. William P. Preston, 1878-87, about money loaned her husband in 1874, together with 19 other letters and documents pertaining to the transactions, including Preston's appeal to Pratt to save him from financial ruin; 41 items, 1873-87. Purchase.

Preston, Margaret Smith, Diaries (MS. 1861). Diaries of Mrs. William P. Preston (1811-80), wife of a prominent Baltimore criminal lawyer, describing her life and household duties on their estate, "Pleasant Plains," near Baynesville and Towson, during the Civil War; 2 vols., 1862-63. Donor: Richard K. MacMaster.

Preston Papers (MS. 711). Group of family letters, deeds and petitions from the estate of William P. Preston. One letter in 1862 discusses Preston's opinion of the Civil War and conditions of his estate, "Pleasant Plains"; 67 items, 1836-85. Exchange.

GENEALOGICAL NOTES

Vital Records Abstracted From
The Frederick-Town Herald 1802-1815

By ROBERT W. BARNES

VITAL records are the muscle which cover and support the skeleton of genealogy and biography. They are the facts without which it is impossible to reconstruct the families of the past. Although the individual counties of Maryland recorded marriages at an early date, they neglected records of birth and death entirely. The churches concentrated their record keeping on baptisms and marriages but also neglected deaths to a large degree.

We are therefore forced to rely on those vital records published in the early newspapers of the State. It is for this reason that the records abstracted from the *Frederick-Town Herald* and published here are of such importance.

The *Frederick-Town Herald* commenced publication on Saturday July 19, 1802, John Thomson, editor. It continued for a number of years as a weekly, but only those records published from 1802 to 1815 have been abstracted and will be published here.

The vital records of two other area newspapers have been previously published. Those from the *Maryland Gazette 1800-1821*, contributed by George A. Martin, appeared in the *Maryland Historical Magazine*, volume 42 (1947). *Marriages and Deaths 1800-1820 from the National Intelligencer*, edited by Frank J. Metcalf and George A. Martin, was published serially in the *National Genealogical Society Quarterly* and later as a pamphlet (Publication no. 34) by the National Genealogical Society.

A careful comparison of the records appearing in these three newspapers reveals very little duplication. In 1802 only one obituary from the *National Intelligencer* also appeared in the *Herald*. The *Herald* of 1803 contained only two obituaries that also appeared in the *Intelligencer* and only two that appeared in the *Maryland Gazette*.

In abstracting these records, all pertinent biographical and genealogical data were copied; however, pious expressions and sentimental comments were omitted.

For readers who want to obtain copies of an original item, these newspapers are available in the original or on microfilm at the Peabody, Enoch Pratt, and the Maryland Historical Society Libraries. Microfilm print-outs may be obtained by writing the Enoch Pratt Library, Baltimore, Maryland 21201.

1802

SMITH, Tracey, consort of Joseph Smith, of this county, died 5th inst. (10 July)

MORGAN, Gen. Daniel, died at Winchester, 7 July, aged 56. He served in the Revolutionary War. (17 July)

CHEW, William P., a native of Calvert Co., and a law student here, died 12th inst. (21 August)

GEVER, Enos, drowned, Friday, 13th inst., in Carroll's Creek, aged 19 years. (21 August)

JOHNSON, Thomas, second son of Col. Baker Johnson, died 19th inst., at Bath, in his 12th year. (28 Aug.)

RICHARD, John, and Maria Morris, of Frederick-town, were married Friday, 27th ult., at the house of Capt. Conrad Shafer. (4 Sept.)

DORSEY, Arthur, died 16th Sept., in his 19th year. (18 Sept.)

NOLAND, Thomas, Jr., died Monday last, in his 27th year. (18 Sept.)

TODD, ———, died 14th inst., aged 7, of hydrophobia, son of W. H. Todd, of Philadelphia. (18 Sept.)

MASON, T., delegate from Caroline County, died since the election. (27 Nov.)

COLHOUN, The Hon. Mr., formerly a United States Senator from South Carolina, died in that state. (4 Dec.)

CALLENDER, Robert, Counsellor at Law, died Friday last, in his 30th year. (4 Dec.)

1803

STEINER, Daniel, son of Jacob, died Thursday, 17th inst., in his 25th year. (26 March)

BREngle, John, and Miss Elizabeth Zeiller, were married on Sunday evening last, by the Rev. Wagner. (2 April)

HOBBS, Samuel R., and Polly Hobbs, were married Tuesday, 12th inst., by Rev. Mr. Higgins. (16 April)

CUMMING, John, and Ann Louisa Spurrier, both of Liberty-town, were married Tuesday, 19th inst., by the Rev. Mr. Higgins. (23 April)

TICE, George, and Elizabeth Shade, both of this town, were married Sunday, 24th inst., by the Rev. Wagner. (30 April)

BREngle, Peter, and Kitty, daughter of David Mantz, were married Sunday last, by Rev. Wagner. (7 May)

HERSTONS, Mrs. Dellilah, consort of Charles Herstons, merchant of this town, died Saturday, 30th ult., (7 May)

BEATTY, Col. William, died Sunday last inst., aged 64, at his seat near Frederick-town. He leaves a wife and fifteen children. (9 May)

ORRICK, Elijah, third son of John Orrick, and a law student under the Hon. R. G. Harper, died 8th inst., in his 23rd year. (21 May)

MASON, Gen. Stephens Thomson, died Tuesday, 10th inst., a United States Senator from Virginia. He was buried in Christ Church Burial Ground. (21 May)

HALL, Mrs. Martha, wife of Nicholas Hall, of this county, died Thursday, 21st inst. (30 July)

CLAPHAM, Col. Josias, died at his seat in Loudon Co., Va., on Thursday last, in his 76th year. (30 July)

SIMKINS, Mrs. Mary, consort of John Simkins, died 18th August, in Allegany Co., in the 56th year of her age. She left five children. (27 August).

CARBERRY, John B., of Frederick town, died Tuesday, in his 28th year. He held the rank of General. (8 Oct.)

GANT, John, Esq., died 14th Oct., in his 28th year; attorney-at-law. His remains were interred with the honors of Masonry. (22 Oct.)

CALLAHAN, John, Register of the Land Office for twenty-five years, died 23rd Oct., at Annapolis. (29 Oct.)

SNOWDEN, Major Thomas, died 27th Oct., at his seat on Patuxent, in Prince Georges Co., in his 54th year. (5 Nov.)

KREHL, Dr. Henry, and Miss Peggy Kendall, the former of Baltimore, and the latter of this place, were married Monday evening last. (12 Nov.)

SMITH, Mr. William, died 2nd Nov., at Emmitsburg, in his 23rd year. (19 Nov.)

QUYNN, Mr. Allen, for twenty-five years a member of the House of Delegates, died at Annapolis, on Tuesday, 8th Nov., in his 77th year. (19 Nov.)

MURRAY, Mr. William Vans, Esq., late Minister from the United States at the Hague, and Minister Plenipotentiary to the French Republic, died 11th Dec., at his seat in Dorchester Co. (24 Dec.)

1804

LEVY, Mr. David, of Frederick, died 8th Jan., in his 63rd year. (14 Jan.)

SHAFFER, Capt. Conrad, of Fredericktown, was married 12th Feb., by the Rev. John DuBois, to Mrs. Dorothy Hagan of Libertytown. (18 Feb.)

MANTZ, Matilda, daughter of David Mantz, of this place, died on 9th Feb., in her 17th year. (18 Feb.)

POTTS, Rebecca, daughter of Richard Potts, Esq., died 21st Feb. (25 Feb.)

HINKLE, Baltzer, of Fred. Co., died 18th Feb., in his 65th year. (25 Feb.)

HEISTER, Gen. Daniel, died 7th March, in the city of Washington, Representative in Congress for the Fourth District in Maryland. (17 March)

SCHOLL, Mrs. Catherine, of Frederick-town, died 12th March. (17 March)

JAMISON, Col. Benedict, a native of Frederick Co., died 23rd March, in his 44th year. (31 March)

BEALL, Mrs. Ann, died 29th March, aged 87 years, at the residence of her son Mr. Elisha Beall. (7 April)

JOHNSON, Mrs. Susanna, consort of John Johnson, of Frederick Co., died 1st April, in her 36th year, leaving eight small children. (14 April)

RUTH, Henry, merchant, and Peggy Meddart, daughter of Jacob Meddart, all of this county, were married Tuesday evening last, by the Rev. Mr. Jacinski. (28 April)

HOFFMAN, John, Jr., of the House of Hoffman and Baltzell, son of John Hoffman, Esq., of Frederick-town, died 10th May., aged nearly 26 years. (19 May)

YOUNG, John R., M.D., died at Hagerstown, 8th June. (23 June).

REYNOLDS, Mr. Hugh, an old resident of this county, died 23rd July, leaving a wife and children. (4 August).

SIMPSON, Francis, died Tuesday, 7th inst., at his seat on Elk Ridge, Anne Arundel Co., in his 84th year. (18 August)

GRIER, Molly, daughter of the late David Grier of this borough, died Friday last. (18 August)

BROWNING, Elizabeth, wife of Jonathan Browning, died Friday, 10th August, near Clarksburg, Montgomery Co., in her 72nd year. (29 Sept.)

BROWNING, Jonathan, died Thursday, 6th inst., near Clarksburg, in his 75th year, husband of the late Elizabeth Browning. (29 Sept.)

LEWIS, Major Thomas, died 15th inst., at the Sweet Springs. (13 Oct.)

HARWOOD, Thomas, died Sunday night last, in his 64th year, Treasurer of the State of Maryland. His Mother, over 100 years of age died only twelve hours before him. They were both buried at the South River Church. (13 Oct.)

LEE, Rev. Wilson, an elder in the Methodist Episcopal Church, died Thursday, 11th inst., at the house of Walter Worthington, in upper Anne Arundel County. For over 25 years he was an itinerant preacher; he was between 40 and 50 years old. (20 Oct.)

BRIEN, John, Esq., of York Co., Penna., and Harriott McPherson of this place, daughter of Col. John McPherson, were married Thursday evening last, by the Rev. George Brower. (8 Dec.)

HOOKE, John Worthington, aged 32, formerly of Springfield, Mass.; died 15th Nov. last, at Tellico Block House, Tennessee. He acted as agent for the United States Government in dealing with the Indians. (15 Dec.)

1805

SHRIVER, Mr. Andrew, merchant of Frederick-town, died 16th Jan., in his 27th year. (19 Jan.)

BIER, Maria, consort of Philip Bier, Jr., died 3rd Feb., in her 28th year. She was buried in the Lutheran Burial Ground. (9 Feb.)

CROMWELL, Mrs. M., consort of John Cromwell of this place, died 25th March, in her 22nd year. (30 March)

BURKHART, Mr. George, of this place, died 10th April, at an advanced age. (13 April).

BEATTY, Jane, consort of Thomas Beatty, of this county, died Monday evening last. She was buried at the Baptist Cemetery. (4 May)

MURDOCK, George, Register of Wills, died 5th May, in his 63rd year. (11 May)

CONRAD, George J., and Elizabeth Steiner, daughter of Jacob Steiner, all of this county, were married Sunday evening last, by the Rev. Mr. Wagner. (11 May)

CROMWELL, Nathan, died Saturday last, 11th May, at his seat near this town. He was buried in the P.E. Cemetery. (18 May)

EASTON, Mr. William, aged 55 years, 3 months, and 11 days, died at his dwelling in Washington Co., on Friday, 17th May. (25 May)

HUGHES, Elizabeth, consort of James Hughes of Emmitsburg, died there, on 21st April, in her 43rd year. She left children. (25 May)

BRYAN, David, a native of Ireland, died Tuesday last, 25th inst., at Cerisville farm. (29 June)

POULTENEY, Anthony, a member of the Society of Friends, died Thursday last, 24th inst., at New Market. (27 July.)

OGLE, Miss Polly, of this county, died Thursday evening last, in her 18th year. She was the only daughter of a widowed mother. (14 Sept.)

BOTT, William C., died Monday last, in the neighborhood of this place. He said his connections lived in Petersburg, Va. He was on the day following decently interred. (14 Sept.)

GRIFFITH, Richard, died Tuesday last. He left a widow and five children. (21 Sept.)

OGLE, Mrs. Sibylla, of this county, died Sunday last. She was taken unwell at the funeral of her daughter, whose decease was recently noticed. (28 Sept.)

WAYMAN, Mr. Charles, of George-town, died Thursday last. His funeral was yesterday at the Protestant Episcopal Church, where the discourse was preached by the Rev. Mr. Balch. (5 Oct.)

JOHNSON, Mrs. Elizabeth, consort of Mr. Thomas J. Johnson of this county, died 4th inst., She was buried in the Episcopal Burying Ground. (12 Oct.)

BUTLER, Col. Thomas, died Saturday last, at the farm of Mr. Richard Butler, about 8 leagues from this city. Col. Butler, of the United States army, served in the Revolutionary War. (26 Oct.)

MANTZ, Mr. David, died Wednesday morning last. (26 Oct.)

WHITE, Mr. John, of Montgomery Co., died Monday last. (26 Oct.)

CREAGER, George, Jr., of Frederick-town, and Miss Peggy Salmon, daughter of Edward Salmon of this county, were married Sunday last, by the Rev. Daniel Wagner. (9 Nov.)

MAGRUDER, Alexander C., of Annapolis, and Miss Rebecca Thomas, daughter of P. Thomas, of this place, were married Tuesday evening last, by the Rev. George Bower. (23 November)

DUGAS, Louis J., merchant of Baltimore, and Miss Louisa Morris, of Frederick-town, were married Tuesday last, by the Rev. John Dubois. (30 Nov.)

BUCKE, Mr. Mathias, of this town, died Monday last. (14 Dec.)

ADLUM, Major John, of Havre de Grace, and Miss Peggy Adlum of this place, were married Sunday last, by the Rev. Mr. Jacinski. (21 Dec.)

CROMWELL, Mrs. Maria C., wife of Joseph M. Cromwell, of this place, died Saturday last, at Lebanon, Dauphin Co., Penna. (28 Dec.)

1806

TANEY, R. B., Esq., and Miss Anne P. C. Key, were married Tuesday evening last by Rev. Nicholas Zoochey (11 Jan.).

LANDES, Mr. Jacob, of this county, and Miss Margaret Skiles, of Lancaster, were married at the latter place, 10th ult., by Rev. Mr. Clarkson (18 Jan.).

STREIDER, Isaac, of Va., and Miss Sarah Steiner, of Frederick Town, were married 7th inst. by Rev. Mr. Jacinsky (18 Jan.).

BIRELY, Mr. Jacob, died Monday last (18 Jan.).

HANSON, Alexander Contes, Chancellor of the State of Maryland, died at Annapolis at 2:00 P.M., Thursday, 16th inst., in his 57th year. (Long obit follows). (25 Jan.).

SCOTT, Mrs. Priscilla, died in this town, of an apoplectic fit, Friday, 17th inst., in her 60th year (25 Jan.).

DIEHL, John, and Mrs. Phoebe Fout, were married Sunday evening last, by Rev. Mr. Wagner (25 Jan.).

KEPHART, Solomon, died at Emmittsburg, Thursday, 30th ult., in his 41st year (8 Feb.).

ROSS, William, Esq., of York, Pa., and Catherine Johnson, daughter of Col. Baker Johnson, of Frederick-Town, were married Tuesday evening last by Rev. George Bower (8 March).

FLEMING, Mrs. Alice, died Tuesday last, at an advanced age of 85 years. (8 March).

MITCHELL, Mrs. Elizabeth, daughter of George Scott, Esq., of Boonsborough, died at that place, Wednesday, 5th inst. (15 March).

HYNES, Mrs. Mary, a native of Germany, aged 103 years, died Tuesday last. (Long obit follows). (15 March).

BRISCOE, Mrs. Eleanor, consort of John Briscoe, Esq., of Jefferson Co., Va. died Tuesday, 11th inst., in her 43rd year. She was the daughter and only child of Alexander Magruder, formerly a resident of Frederick, Md. (22 March).

BUCKEY, Michael, and Kitty, daughter of Philip Pyfer, all of Frederick-Town, were married Sunday last by Rev. Daniel Wagner (29 March).

DECATUR, Capt. Stephen, of the U. S. Navy, and Susan, only daughter of Luke Wheeler, Mayor of this borough, were married Saturday last, by Rev. Mr. Grigsby. "Norfolk; March 11." (29 March)

HENDERSON, Mr. James, of this county, died Monday, 17th inst., in the 74th year of his age. (29 March).

PRICE, Mrs., of this place, died Monday last, at an advanced age (5 April).

THOMAS, William, and Catherine Hauser, were married Tuesday last, by Rev. Daniel Wagner (19 April).

CRONISE, Jacob, and Catherine Fundenberg, were married Tuesday evening last, by the Rev. Daniel Wagner (19 April).

SHIPPEN, The Hon. Edward, late Chief Justice of the Supreme Court of Pennsylvania, died Tuesday, 15th April last, in his 78th year (26 April).

BEALL, Mrs., consort of Upton Beall, Esq., of Montgomery Court House, died Monday morning last in this town (10 May).

FRITCHIE, John, and Barbara Hauer, were married Sunday evening last, by Rev. Daniel Wagner (24 May).

STEINER, Henry, and Rachel Murray, were married Tuesday evening, by Rev. Wagner (24 May).

BARNHOLD, Mrs. Anna, died Sunday evening last, at her son-in-law, John Ritchie's (31 May).

WHITE, John, and Mary Stewart, both of this county, were married Tuesday evening last, by Rev. P. Davidson (7 June).

HANKINSON, John, of the House of Hunt and Hankinson, merchants, and Miss Frances B. McCrea, eldest step-daughter of Col. Thomas H. Cushing, Adjutant and Inspector of the Army of the U.S., were married 28 April, 1806, at St. Louis, in Louisiana (28 June).

RIGNEY, John, and Miss Sophia Heisley, were married on Sunday evening last, by the Rev. Daniel Wagner (28 June).

COOK, Mrs. Elizabeth, relict of Capt. George Cook, died on the evening of 23rd inst. Her remains were interred Wednesday in the Episcopal Church yard of this town (28 June).

CAMPBELL, Capt. John, of the 2nd Regt. of Infantry, and Margaret McCrea, 3rd stepdaughter of Col. Thomas H. Cushing, Adjutant and Inspector of the Army, were married at Natchetoches in the Territory of New Orleans, on 26 July last (13 Sept.).

PATTERSON, William, one of the Associate Justices of the United States Supreme Court, and a citizen of New Jersey, died Tuesday night, at the mansion of Stephen Van Renssalaer, Esq., in Albany (27 Sept.).

GRAHAM, Augustus, of Frederick-Town, and Martha Cook, daughter of Capt. S. Cook of Frederick Co., were married Sunday last (26 Oct.), by Rev. Daniel Wagner (1 Nov.).

OTT, Dr. John, and Miss Ann Ritchie, daughter of Abner Ritchie all of Georgetown, were married on Monday evening, by Rev. Wagner (1 Nov.).

GHIESELEN, Ann, niece of Henry Darnall, died Monday last, at Rocky Mountain (1 Nov.).

CROMWELL, John, and Miss Catherine Kephart, were married Tuesday evening last, by Rev. David Martin (15 Nov.).

PELTZ, Mr. John, and Miss Eliza Marquart, of Frederick, were married Tuesday evening last by Rev. Mr. Jacinski (15 Nov.).

LEVY, David, innkeeper, died Wednesday last, leaving a wife and several small children to mourn his loss (13 Dec.).

1807

BRECKENRIDGE, Hon. John, Attorney General of the United States, died 14th ult., of an affliction of the stomach, at Lexington, Ky. (10 Jan.).

MCCALLY, Mr. Robert, died Wednesday last, in his 47th year (17 Jan.).

HARRISON, Dr. John, of Washington, D.C., and Elizabeth, daughter of John Hoffman, of this county, were married Tuesday evening last, by Rev. Daniel Wagner (24 Jan.).

DAVIDSON, John, of Annapolis, an old Revolutionary soldier, died in Baltimore, on Monday, 2nd inst., aged about 58 years. He entered the army in 1776, and was originally an officer in General Smallwood's Regiment. (28 Feb.).

DYER, Dr. Edward, formerly a resident of this county, died 30th ult., at Romney, Hampshire Co., Va. (28 Feb.).

JAMISON, Mr. Ignatius, and Miss Catherine Fenwick, daughter of the late John Fenwick of St. Mary's County, were married Sunday evening last, 8th inst., at Mr. William Herbert's residence, near Emmittsburg, by the Rev. Mr. Dubois (14 March).

POTTS, William, merchant of Baltimore, and Susan, daughter of Capt. William Campbell of this county, were married Tuesday last by Rev. George Bower (21 March).

HERSTONS, Charles, merchant, and Elizabeth Anderson, were married Tuesday evening last, at Georgetown, by Rev. Mr. Foxhall (21 March).

OGLE, Peter, son of Mr. Benjamin Ogle, of this county, died Thursday morning last (21 March).

CREAGER, George, Sr., and Miss Mary Appler, daughter of Jacob Appler of this county, were married Tuesday last, by Rev. Dr. Wagner (11 April).

HOWARD, Samuel Harvey, Esq., Register of the Court of Chancery, died 24th inst., aged 57 (9 May).

SANDERSON, William R., of Winchester, Va., and Elizabeth Leatherman, daughter of Henry Leatherman of this town, were married by Rev. Dr. Wagner (16 May).

SALMON, William, and Sarah Davis, both of this county, were married Sunday last, by Rev. James Higgins (23 May).

ZEILER, Adam, and Rebecca Levy, both of Frederick-Town, were married Thursday evening, by Rev. Daniel Wagner (23 May).

WOLFERDEN, Mr. John, merchant of this town, died Saturday evening last, of pulmonary complaint, in his 45th year (23 May).

JOHNSON, James, Esq., of this county, and Miss Richards, daughter of Rev. Mr. Richards, of Baltimore, were married at Baltimore, 28th ult. (6 June).

FERGUSON, Rev. Colin, late Principal of Washington College, died 10th ult., in the 53rd year of his age, in Kent County, at the place of his nativity. (Long obit follows). (20 June).

BAER, George, Sr., of this county, died Tuesday last, at an advanced age. (25 July).

TRACY, Uriah, Senator of the U.S. from the State of Connecticut, died 20th inst., in the city of Washington. (Long obit follows). (1 Aug.).

DUNLAP, Jane Eliza, eldest daughter of Samuel Dunlap, Esq., of Lancasterville, S.C., died 9th ult., in the 10th year of her age. (Long obit follows). (22 Aug.).

PREBLE, Commodore, died at Portland (5 Sept.).

WALKER, Mr. John, author of the *Pronouncing Dictionary of the English Language*, died lately at his apartments, Tottenham-Court-Road, in his 76th year. (Long obit follows). (3 Oct.).

MAY, Mr. Abraham, died at Newton (Trap), on 9th inst., on his way from the Sweet Springs, Va. He was born Baltimore. His remains were interred in the Presbyterian Burying Ground in this place (17 Oct.).

GREEN, Mrs. Alcinda G., died on the 20th of last month, in Shepherdstown, Va., in her 25th year. She was the consort of Mr. Allen Green of Montgomery County, Md. (Long obit follows). (24 Oct.).

STEINER, Mr. Jacob, died on Wednesday night last. (31 Oct.).

WILLSON, Mrs. Rebecca, consort of Mr. Thomas Willson, and daughter of William Murdock Beall, died 1st ult., leaving her husband, parents, and four small children. She was interred in the Episcopal Church on Sunday se'en night last. (7 Nov.).

GANT, Mr. Fielder, died on Thursday morning, at his farm near this town, at a very advanced age. His funeral was from the Episcopal Church. (14 Nov.).

MINGHINY, Mr. Joseph, of Jefferson Co., Va., and Mary Head, daughter of William Head of the same county, and Mr. James Clark, and Elizabeth Head, also a daughter of William Head were married Tuesday last, 17th inst., near Creager's Town, by Rev. Mr. Dubois (21 Nov.).

SCHLEY, Mrs. Margaret, consort of Capt. George Schley of this place, died 20th inst., in her 66th year (28 Nov.).

SMITH, Joseph, paper-maker of this county, and Sybilla Doffler of Frederick-Town, were married Thursday, 26th ult., by Rev. Daniel Wagner (5 Dec.).

PHILLIPS, Samuel, of this county, and Mrs. Rebecca Lyles of this town, were married Tuesday evening last by Rev. David Martin (5 Dec.).

BYERLY, William, paper-maker, and Charlotte Myer, both of this county, were married Thursday evening last by Rev. Daniel Wagner (5 Dec.).

BERGER, Jacob, and Miss Mary Kendall, both of this town, were married Thursday evening last by Rev. Wagner (5 Dec.).

ADDISON, Alexander, Esq., died 24th ult., in his 49th year. He leaves a widow and eight children. (Long obit follows). "Pittsburgh, Dec. 1st." (12 Dec.).

MANTZ, Ezra, and Miss Maria Ritchie, of this place, were married last Sunday evening, by Rev. Wagner (12 Dec.).

ELLSWORTH, Oliver, Chief Justice of the United States, died at his house in Windsor, 26th ult., aged 62. (19 Dec.).

1808

WILLIS, Rev. Henry, a member of the M. E. Church for 30 years, died Sunday, 10th inst., in his 47th year (23 Jan.).

M'KALEB, Joseph, died at Taneytown, on the 5th inst., in his 75th year (13 Feb.).

MANTZ, Elizabeth, daughter of Francis Mantz, of this place, died Wednesday last, in her 26th year, of consumption (27 Feb.).

KIEFER, Henry, and Elizabeth, daughter of Mr. John Getzendanner, of this county, were married Sunday, 6th inst., by Rev. Daniel Wagner (19 March).

MILLER, Samuel, of this place, died Monday last, in his 83rd year (23 April).

WHITE, Henry, died Monday night, in his 19th year (23 April).

ELDER, Joseph, and Miss Lucy Head, were married Tuesday, 26th inst., near Creager's Town, by Rev. Mr. Dubois (30 April).

HARRISON, Capt. Alexander C., of the U.S. Navy, and Catherine Owings, all of this county, were married 26th inst. at Liberty-Town (30 April).

ZIMMERMAN, Benjamin, paper-maker of this county, died Wednesday, 20th ult. (30 April).

LIVERS, Elizabeth, daughter of Arnold Livers, late of Baltimore, deceased, died in Emmitsburg, Saturday night last, in her 18th year. (30 April).

CREAGER, Dr. Lewis, of Middletown, and Susanna Hauer, daughter of Daniel Hauer, Sr., of Frederick-Town, were married Tuesday evening last, by Rev. Daniel Wagner (14 May).

CAMPBELL, William, Jr., eldest son of Capt. William Campbell of this neighborhood, died 29th April, at sea; aged about 28 years. (Long obit follows). (4 June).

O'NEILL, Elizabeth, consort of Mr. Bernard O'Neill, of Montgomery County, died 9th inst., in her 53rd year (27 Aug.).

BRANDT, Mr. Christian, of this town, died Monday last (1 Oct.).

COOMES, Mr. Baalis, of this county, died Monday last (1 Oct.).

CAMPBELL, Richard C., and Barbara Zimmerman, all of this county, were married at Catoctin Furnace, on Thursday, 13th inst., by Rev. D. F. Schaffer (22 Oct.).

BAER, John, of this town, and Catherine, daughter of John Hoffman, of this county, were married Tuesday evening last, by Rev. Daniel Wagner (19 Nov.).

POTTS, Richard, Esq., died Friday, 25th inst. In the commencement of our Revolution, he was active in the cause of our independence. (26 Nov.). Long obit in the issue of Dec. 3 states he was born in Prince George's County.

DIXON, Mrs. Anne, died Thursday last, in her 77th year, at the seat of her brother, Major Henry Duvall (3 Dec.).

EMMITT, Mr. William, Esq., of Emmitsburg, and Susan, daughter of John Shellman, of this town, were married Tuesday evening, 6th inst. (17 Dec.).

WIREMAN, John, merchant, and Elizabeth Campbell, were married at Woodsbury, on Thursday, 8th inst., by Rev. L. Browning (17 Dec.).

SINN, Jacob, died 6th inst., in his 69th year, in this town. (17 Dec.).

WINEMILLER, Henry, died Tuesday last, in his 62nd year; a resident of this town (31 Dec.).

REVIEWS OF RECENT BOOKS

The Governors of Maryland, 1777-1970. By Frank F. White, Jr. Publication No. 15. The Hall of Records Commission. State of Maryland. (Baltimore: Twentieth Century Printing Co., Inc., 1970. Pp. xxxv, 351. \$12.00.)

This "rewriting and updating" of Heinrich E. Buchholz's 1908 *Governors of Maryland* presents a biographical-administrative survey of Free State leadership from Thomas Johnson to Marvin Mandel. In its scope, archivist White's compilation responds to a real need. The post-Crothers chapters particularly are solid contributions to the almost trackless wilderness of 20th century Maryland history. Yet while the broad scope is a major strength of the new study, it also presents a major problem.

To attain unity, cohesion, and compression through fifty-six administrations and almost 200 years of Maryland history, White develops each gubernatorial chapter in the same format: a brief introductory interpretive paragraph, family ancestry, early educational background, pre-gubernatorial career, administration, subsequent activities, and estimate of obituaries. White's sources also follow a pattern within each chapter, beginning with available secondary sources, primarily Buchholz, developing administrative problems and achievements through the *Journals* of the House and Senate and governors' messages to the legislature, and concluding with newspapers' estimates and obituaries with occasional references to county records of wills or church marriages. While this procedure is more professional than Buchholz's use of "his own imagination and in a few isolated cases, the gossip of old women," it is also more limited in not apparently utilizing the "letters and private diaries" noted (though not specifically cited) by Buchholz. While it would pose a Herculean task to a stable of researchers to study the personal correspondence of the governors from 1777-1970, an investigation of the rich manuscript materials of the Maryland Historical Society—ranging from the letters of Thomas Sim Lee to Washington on Maryland's neutrality dilemmas in 1794 to the voluminous Ritchie clipping collection—could substantively add to the background and interpretation of the gubernatorial accomplishments cited by White.

In the early chapters, while there is occasionally almost exact transference from Buchholz, the contrasting areas of development and emphasis can be easily seen in the Buchholz-White analysis of Governor Robert Bowie, 1803-1806, 1811-1812. Buchholz emphasizes the national setting in Bowie's first terms, stressing the reelection of Jefferson, the maritime difficulties of the British-French clash, and the attempted impeachment of Samuel Chase. He does not allude to legislative, administrative, or purely Free State matters. White, on the other hand, concentrates solely on Maryland events, citing the settlement of the Bank Stock case, the prohibition of the importation or immigration of free Negroes into the State, the opening of the national road, and the increase of Baltimore's membership in the House of Delegates. In brief, the complementary aspects of the national-Maryland focus of Buchholz and White are obvious. That there is not more integration of

these in the parallel "rewriting and updating" chapters is apparently the conscious choice of White. The villain perhaps is the broader chronological scope and the rigorous compression and selectivity necessary for a one-volume study.

Finally, in regard to scope, there is an effective essay by Gust Skordas, assistant archivist, on the Office of Governor, tracing constitutional prerogatives and executive growth and influence and a fine interpretive study by White of his predecessor Buchholz. Portraits or photographs of all but three of the governors have been painstakingly assembled and reproduced by White and the Hall of Records staff. Useful appendices listing gubernatorial elections, administrative terms, and capsule biographies complete this welcome and highly useful study.

Georgetown University

DOROTHY M. BROWN

The Constellation Question. By Howard I. Chapelle and Leon D. Polland. Washington, D. C.: Smithsonian Institution Press, 1970. Pp. vi, 152. \$3.75.)

The long-debated and still unresolved question about the frigate *Constellation* is one of authenticity. Is the ship that is now being refurbished in Baltimore one of the six vessels authorized by the Congress in 1794 and launched in 1797? Or was she the victim of so many alterations over the years that her identity was destroyed and now she is simply a type representative of an armed warship of the early nineteenth century?

In the volume at hand two recognized experts set forth their opposed reasoned opinions. The writing is not a joint effort; the authors present separate papers. One attempts to propose, the other to dispose. Each quotes references to his own purpose. The details of the matter are highly technical, but there are bits of humor that enliven the tale, including Citizen F. D. Roosevelt's muddying of the waters.

Mr. Polland, presently in charge of the *Constellation* restoration, argues that this is the original ship, a view also expressed in an article he co-authored in this magazine in March, 1961. Mr. Chapelle's thesis is that the quantity of rebuilding and the changes made in the structure during the various repairs so altered the original ship that she *has* lost her identity. A possible rebuttal to this is quoted in the introduction: "Now it is a law in Lloyd's that the *Jane* repaired all out of the old until she is entirely new, is still the *Jane*."

This teasing and scholarly controversy concerns only the hull; the rigging is not involved. There are many illustrations, some of them folding plans of lines, decks, and profiles. The whole is attractively packaged and anyone interested in such affairs gets a feast for a very modest price.

For the non-nautical reader there is a plethora of maritime technical terms. There are such things as dagger knees, bridle ports, girdling, sheet bits, wale strokes, futtocks, and tumblehome. In some instances the authors direct acidulous comments to each other. There is mention of "undignified language" and "semantics so often employed to twist facts." The landlubber will be confused and sometimes amused; some will put the book down with the now classic comment, "A plague on both your houses."

This reviewer enjoyed the book. It is in the best tradition of historical inter-

pretation of facts in accordance with an individual's experience and judgment. It illustrates the eternal differences that exist between reputable scholars. The question is not answered and probably never will be. But certainly the facts are here, it is a complete picture, and it all comes down to "you pays your money and you takes your choice."

Maryland Historical Society

J. FREDERICK DOUTY, III

The Fox at Bay, Martin Van Buren and the Presidency, 1837-1841. By James C. Curtis. (Lexington: The University Press of Kentucky, 1970. Pp. xi, 234. \$8.50.)

Historians of the middle period acknowledge the importance of Martin Van Buren and concur in the need for a solid, balanced biography. This monograph will aid a future biographer, examining as it does Van Buren's "relatively neglected administration." Professor Curtis does not begin *in medias res*; nearly one fourth of the narrative discusses the pre-presidential career of the "Red Fox." Once beyond the election of 1836 the focus of the book is centered on foreign relations and the reaction of the administration to national economic developments.

Curtis reaffirms Van Buren's role in founding the Democratic party. The New Yorker is viewed as a neo-Jeffersonian, emphasizing strict construction and state rights during the Jackson administration. A number of important considerations do not fit the pattern, but the generalization, properly modified, explains his basic posture to 1837. As head of the government Van Buren emerges as a thoughtful, not inflexible, leader committed to fundamental Democratic policies which he determined to sustain with firmness. In formulating his major decisions he consulted the cabinet and the leaders of the New York-Virginia alliance. This account points to Jackson's declining influence. Curtis describes conservative Democratic pressures against the continuation of the Specie Circular and the adoption of the Independent Treasury. Despite help from eastern left wing elements, the administration men denied the latter plan involved an attack on state chartered banks. In 1839 Van Buren asserted the Independent Treasury "will have a salutary influence on the system of paper credit with which all banks are connected. . . ." This represented a decided shift from his earlier refusal to suggest "any specific plan for regulating the exchanges of the country . . . from a conviction that such measures are not within the constitutional province of the General Government." Curtis's work supports the traditional view that administration forces triumphed in large measure because of the 1839 bank suspension. As regards foreign affairs, the book demonstrates Van Buren's sensible and conciliatory course toward Mexico and Canada; the story respecting Texas is well known.

This study is the more enjoyable for the author's thorough familiarity with his source material. His judgment of Van Buren is well taken. The assessment of Calhoun and Biddle is restrained and judicious. Although Curtis details the splintering of the Democratic organization in Virginia and New York, he offers little on western hostility to administration policies. This opposition to the

Specie Circular, to any specie clause in the Sub-Treasury bill, and to the Independent Treasury itself must be examined with a view to understanding Van Buren's counter measures or lack thereof. How much western support for the administration originated in loyalty to the President and the national organization? One regrets the decision to slight the public land issue, internal improvements, and the slavery controversy. The White House was involved in very divisive questions in the *Amistad* affair, the Hooe case, and the adoption of House Rule Twenty-One.

According to Curtis the Democrats would hold power "so long as they avoided taking a stand on issues that could not be [agreeably] translated into local terms." In the log cabin campaign Van Buren lost to a negative coalition quite similar to the one he had fostered in 1828.

Ohio Wesleyan University

RICHARD W. SMITH

The Papers of Ulysses S. Grant. Volume 3: October 1, 1861-January 7, 1862.

Edited by John Y. Simon (Carbondale: Southern Illinois University Press, 1970. Pp. xxv, 479. \$15.00).

The editing of the *Grant Papers* is an ambitious and extremely worthwhile project, and the three volumes published to date prove that the task is in good hands. The present volume, which includes all the known letters Grant sent and received between October 1, 1861, and January 7, 1862, finds Grant at Cairo wrestling with a number of challenges. On the one hand, Grant had to contend with that "ubiquitous individual," M. Jefferson Thompson, a Confederate irregular who roamed at will in Missouri. On the other hand, pressure had to be maintained on Columbus, Kentucky, the Confederate stronghold on the Mississippi. Highlighting this endeavor was the inconclusive affair at Belmont. In his *Memoirs* Grant says that he felt compelled to fight a battle because his troops were elated at the prospect of coming to grips with the enemy, and he feared losing their confidence if he did not do something. But a careful reading of his correspondence indicates that a more likely explanation is that Grant himself craved action more than anyone else.

Another vexing problem that Grant grappled with can be broadly termed "logistical." Transportation and ambulances were deficient. Clothing, bedding, and weapons were nonexistent or, at best, inferior. Bread supplied to the troops was "totally unfit for issue." Government credit was exhausted at Cairo. Storage space was at a premium. And on top of it all, there was gross corruption and extravagance in acquiring the supplies and equipment that could be obtained. Grant also had to wade through a complex maze of civil-military problems created by military occupation. In general, there were three distinct civilian groups with whom he dealt: fugitive slaves, Unionist refugees, and disloyal inhabitants within the district. Grant's actions in the realm of civil-military relations were astute. His awareness of many of the legal, constitutional, and moral questions involved belies the conventional picture of a dull, plodding general.

The fourteen weeks covered in this volume, then, represent an important period of learning and preparation for Grant. He was becoming a master of his

trade. No doubt his training at Cairo in meeting challenges and solving problems was of untold benefit to him from Fort Henry to Appomattox.

Because the documents in this volume tell so much about Grant the general, this book is obviously of prime interest to military historians. However, the documents also reveal Grant the human being. He emerges as a man of extraordinary character and determination. For instance, amidst so much fraud and corruption, there is something heroic in Grant's refusal to use his position to secure favorable government contracts for interested parties—even his father! Yet Grant is not without perfectly human failings. In one breath he could state the grand principle that "it is better that ninety-nine guilty persons should escape than that one innocent [sic] person should suffer . . .," and then in the next breath order a man *suspected* of disloyalty kept under arrest even though there was not enough evidence to convict him.

Like Volumes I and II, the value of Volume III is enhanced by profuse annotation, a handsome format, a calendar, a chronology of unpublished documents, and a complete index.

Reading the *Grant Papers* is like reading *Love Story*. You know from the opening line what the ending will be, but it is a fascinating and moving story anyhow. Volume IV, which should thrust Grant into the Tennessee campaign of February, 1862, will be eagerly anticipated.

The Ohio State University

PETER MASLOWSKI

Great Britain and the Confederate Navy 1861-1865. By Frank J. Merli. (Bloomington: Indiana University Press, 1970. Pp. xii, 342. \$7.50.)

There have been a number of works dealing with Confederate activities in Britain but it has remained for Frank J. Merli in *Great Britain and the Confederate Navy 1861-1865* to produce the modern well-researched work concerned exclusively with naval activity.

The author presents a brief but useful account of the problems of creating a Confederate navy with a good discussion of the personalities and resources available. After determining that Confederate resources alone were not adequate to construct the kind of navy necessary to break the blockade and bring the war to the North, southern leaders turned to the idea of building or buying ships abroad. Britain, the leading maritime power of Europe, seemed to be the best place to obtain such vessels, and so early in the conflict the Confederacy sent naval agents to that country. The most able of these men was James D. Bulloch, who eventually became the principal Confederate naval agent in Europe. In spite of the South's best efforts, the problem of ship acquisition in Britain was almost insurmountable. Perhaps the author's best discussion concerns the diplomatic problems faced by the British in permitting the Confederacy to buy or build ships. Britain wished to remain neutral and had a foreign enlistment law which seemed to make it illegal to build or sell warships to a belligerent. However, Bulloch found loopholes in the law which allowed him to obtain several cruisers including the *Alabama*, *Florida*, and *Shenandoah*. Although Britain continued to tighten her interpretation of the Foreign Enlistment Act, and did obtain court

action against the cruiser *Alexandra*, the Confederates by considerable subterfuge continued to be able to obtain cruisers, war supplies, and crews until the war's end.

Blockade breakers such as Lieutenant North's Scottish Ironclad and the Laird Rams were another matter. Even without guns, these vessels could not be classed as merchant ships and United States pressure to seize them was overwhelming. Faced with such pressure the Laird vessels were purchased for the Royal Navy and the Scottish vessel which proved unsatisfactory was sold to Denmark, thus ending any possibility of obtaining British Ironclads.

The most successful Confederate effort was that of obtaining blockade runners. These vessels, clearly not warships, proved to be no violation of the law, and although the United States attempted to prevent their sale to the Confederacy, little headway was made.

The author concludes that lack of financial resources and British cooperation probably doomed Confederate hopes to construct a naval force in foreign ports. He suggests that the cruisers contributed to the war effort but because of the availability of neutral shipping, could have never done serious damage to United States foreign trade. He questions the ability of the foreign built rams to break the blockade even if they had been able to escape.

Professor Merli's research appears to have exhausted all of the major sources and he has certainly produced the definitive work on his chosen subject. The book is most complete in its dealings with the diplomatic aspects of the subject, although scholars of technology will probably wish for more detail. It is readable, well organized, and should appeal to scholars and amateurs alike.

Auburn University

FRANK LAWRENCE OWSLEY, JR.

The White Savage: Racial Fantasies in the Postbellum South. By Lawrence J. Friedman. (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1970. Pp. vii, 184. \$5.95.)

In this perceptive and well-written essay, Friedman searches for the quality of mind of southern whites that required the derogatory image of the docile "nigger." In so doing he slightly revises the views of U. B. Phillips, C. Vann Woodward, and others. The central theme of Friedman's book is that segregation and integration were not issues in themselves but a consistent abhorrence of the "uppity nigger." Whether southern whites favored exclusionism (isolating Negroes from white centers of population), subordination with interracial association, or the "Brownlow tradition" (named for Governor William Gannaway Brownlow of Tennessee) of a combination of removing Blacks but cultivating them into an integrated subservience, it was the continual fear of social revolution and the challenge to status that caused them to draw the color line.

Friedman begins his analysis with the atrocities committed by southern soldiers against Union Negro troops and would-be defectors during the Civil War. Then he shows how southern leaders—such as Henry Watterson, Wade Hampton, L. Q. C. Lamar, and Henry W. Grady—plied expansionism, organic nationalism, and industrial recovery linked to an intersectional alliance to detract northern

attention from the race problem. The new Cavalier literature of Paul Hamilton Hayne, John Esten Cooke, Joel Chandler Harris, and others, stressing the contentment of the Negro under noble and hard working Cavaliers, influenced both Northerners and Southerners in accepting the fantasy of Negro inferiority. Thomas Nelson Page, like many of his southern contemporaries, found escape from racial reality by idealizing the past.

Friedman reinforces the thesis that the color line was raised to exploit poor whites. But he adds subtleties to the character of Populist Tom Watson missed by C. Vann Woodward. Moreover, Watson was never sincere in advocating rights for the Negro; if Negroes were enfranchised, he and other southern politicians as well would have to face up to the welfare of the whole community. Watson's exploitation of tensions between lower and upper class whites distracted poor whites from their needs.

Black activists failed miserably to improve the condition of Negroes. Lacking economic power, they merely convinced the southern leadership that any development of Black nationalism was subversive. The aroused aggressiveness of whites made for the triumph of exclusionism.

With the election of Woodrow Wilson, and his public policy and openly expressed prejudices, the status of the Negro became fixed in an inflexible color line rather than a differential one. The movie, "Birth of a Nation," which the author evaluates fully, symbolized the apotheosis of the theoretical denigration of the Negro.

Despite the need for more emphasis on the psychological and sexual anxieties suffered by the whites as they underwent a crisis of identity, this is indeed a most brilliant delineation of the rationale developed to justify a persistent caste system.

University of Richmond

HARRY M. WARD

American Foxhunting: An Anthology. By Alexander Mackay-Smith. (Millwood, Va.: The American Foxhound Club, 1970. Pp. xvi, 212. \$20.00.)

Although born in hunting country in England, and numbering among my friends a few members of the Quorn and other hunts, I always found the hunting of foxes through other people's property rather puzzling. Beagling was even more mysterious, but if I regarded foxhunting as strange it could have been because my mother was a strong opponent of bloodsports—or I couldn't afford to hunt. But as with other sports its literature—and its stories—are another matter; one can listen wrapt for hours at stories about sport without actually taking part (attend any men's club after a football match).

Mr. Mackay-Smith, master of Rock Hill Hounds, Milldale, Virginia, and Blue Ridge Hunt, Millwood, for almost two decades, and a president of the American Foxhound Club, has followed his definitive work, *American Foxhound* (1968), with a fascinating collection of essays, stories, sketches, and poems on foxhunting, all concerned with North America, but including stories of British sportsmen. This handsomely designed book—a large quarto—is an elaborate publication, yet sold at a ridiculously low price of \$20. Besides the stories there are over 100 illustrations, all chosen perfectly. Mr. Mackay-Smith has scoured more than 100 magazines devoted to field sports beginning with the *American Turf Register*

of 1829. Books and pamphlets, mostly rarities, have also been covered. A very fine present and a work for institutions for their English and history collections.

Maryland Historical Society

P. W. FILBY

The Southern Historical Collection: A Guide to Manuscripts. By Susan Sokol Blosser and Clyde Norman Wilson, Jr. (Chapel Hill: University of North Carolina Library, [c. 1970]. Unpaged. \$6.00.)

The University of North Carolina's manuscript holdings, the "Southern Historical Collection," has always been one of the great archives in the South and the nation. Ever since the Collection's founder, Dr. Joseph Grégoire de Roulhac Hamilton, "crossed and recrossed" the South in his "faithful Fords" in search of manuscripts relevant to the South, the ever growing collection has been well organized, carefully cataloged, and remarkably useful for scholars and researchers.

The first guide to the Collection was published in 1941 and since the holdings have more than quadrupled and now number 5,000,000 manuscripts, a replacement has been long overdue. The wait has been worthwhile, for the new guide is well done indeed—well conceived, well executed, and well indexed.

The collections are listed by manuscript accession number (not alphabetically). On the first line is the formal name in bold face type, the inclusive dates, and the number of items or shelf feet. Descriptions identify the key people, central places and dates, and type of papers included. The left margin contains not only the manuscript number of the group but also the states most extensively mentioned in the particular collection.

The guide is very easy to use, for the abbreviations, although frequent, have been kept simple and are unconfusing. The index, compiled by a computer, seems very complete and well planned—done by name of collection, persons, places, and subjects. There are ninety entries for Maryland alone, listed by county as well as by the state.

This book is meant to be purchased, not only by libraries, but also by scholars and graduate students and carried with them on their research trips. Hence it has been limited in cost and size (a relatively slender 8 1/2 x 11 paperback). These two restrictions have necessitated some exclusions—copies whose originals are accessible elsewhere, genealogy, items of museum interest and the like—but the reasons are so commendable that they more than make up for any lack of completeness.

The Southern Historical Collection's guide is a boon to researchers and librarians alike, an essential purchase for all students of southern history, and a further indication that the University of North Carolina intends to keep her extensive, priceless manuscript holdings among the most usable in America.

Maryland Historical Society

NANCY G. BOLES

Flashes of Merriment: A Century of Humorous Songs in America, 1805-1905. By Lester S. Levy. (Norman: University of Oklahoma Press, 1971. Pp. xiv, 370. \$12.50.)

Mr. Levy, one of the greatest collectors of sheet music in the world and a generous lender to Baltimore institutions, has followed his very successful *Grace*

Notes in American History (1967) (reviewed in the *MHM*, Sept. 1968) with another study of sheet music in his collection. *Grace Notes* concerned itself with popular sheet music, 1820-1900; the present book covers a century of humorous pieces. About one hundred songs are described and discussed. Treatment is given to the history, the lyricist, the composer, and the performer who made the piece famous. Verses of each song are given with music calligraphed by Henry W. Hoffman, another Baltimorean. Covers of the original pieces are shown, some in color. Throughout, the book has an air of authority. That Mr. Levy could compile such a work from his own collection testifies to the size and coverage of his activities in this field for many years. A book for those interested in songs and history, for social historians, and for reference librarians, who with *Grace Notes* and *Flashes of Merriment* on their shelves could find many quick answers to questions which come their way.

Maryland Historical Society

P. W. FILBY

Eastern Shore: Chips and Shavings. By R. Hammond Gibson. (Baltimore: Chesapeake Bay Maritime Museum, 1970. Pp. [44]. \$2.50.)

Through diligent research and long residence in Talbot County, Mr. Gibson has gleaned much information about the ships and shipping of Maryland's eastern shore. Within this 44-page booklet he presents capsule descriptions, each a page or less in length, of the following subjects: How Miles River Was Named; Talbot Early Ports; Eastern Shore Leaders; Fast Schooners; Talbot's Great Industry; Privateer Tactics; Defense of St. Michaels; the Pungy Schooner; Log Boats; the *Ann McKim*; Miles River Story; Commercial Schooners; Bugeyes; Skipjacks; Ram Schooners; Steamboats on the Chesapeake; Chesapeake Motor Boats; and Cargo Boats. Opposite each description there is a line drawing by the author.

At the outset the author describes these essays as "odd bits of wood strewn around a boatyard. . . . They speak of the origins and havens of small vessels. . . . It matters little whether these essays form a continuous sequence, whom they praise or neglect. What matters is that tidewater men have lived here and continued perfecting their ways so that some scraps of evidence remain long afterwards, such things as are worthy of being called to mind." This amply covers the purpose of the booklet.

If one had the time and research sources, each essay could be easily developed into book length form. These essays are like the sugar dusting on a cake, a mere taste of the whole, enough to whet one's appetite to learn more. Yet, they do enable the layman to savor what has passed from the Chesapeake and gain some idea what the vessels and events were all about. There are several errors, and perhaps an interpretation or two some might question. But certainly there is enough here to arouse the nostalgia within those of us who remember steamboat days and many of the other topics covered.

The Mariners Museum

ROBERT H. BURGESS

Sea, Sails and Shipwreck. By Robert H. Burgess. (Cambridge, Md.: Cornell Maritime Press, Inc., 1970. Pp. xii, 132. \$6.00.)

It is not at all unusual to find a teenage boy haunting the docks, often wangling his way up a gangway to wander about the decks of a ship, making friends with the crew and if possible, the ship's cat as well. The additional fascination of a "sailing vessel" is surely too much to resist. It is unusual that the boy grow into manhood and continue to follow the career of the ship throughout her existence—as a matter of fact, from launch cradle to the graveyard.

Mr. Burgess belongs to that privileged generation which had an unparalleled opportunity to watch the age of the wind ship come to its close. He has, in fact, followed and graphically recorded the career of one of the very last commercial sailing vessels—followed her in fact to her grave.

One sometimes wishes it possible to lay a ship reverently in her tomb, enshrined for all time, but of course it cannot be. As often is the case, she is stripped of her valuables and dragged to a boneyard or a lonely mud flat, left to the wind and the tide to prolong the agony of her death. Such a place is Hawkins Point where the bare bones of the *Purnell T. White* now lie just outside of Baltimore Harbor. More than a little of that agony is shared by those who knew her in her sailing days.

Although she is often referred to as a "ship," the *Purnell T. White* was one of four large four masted schooners to be constructed in the Chesapeake Bay area during the first World War. The lack of distinction between sailing rigs is pardonable as the reader is never called upon to make comparisons. The *White*'s dimensions were very respectable, however, 197' x 37'-9½" x 14'. The photos of her building, views of her in several ports and lately in her final resting place make up a dramatic story of the birth, life, and death of the *Purnell T. White*.

Some 42 pages of the book are devoted to the narrative of James S. McCullough who signed aboard as a seaman in 1933. McCullough's account and his rare photos made during that voyage contribute immeasurably to Mr. Burgess' story. Added to that is the fact that unknown to seaman McCullough at the time, only one final voyage remained for the fine old schooner, launched in the Nanticoke River at Sharpstown, Maryland, on August 23, 1917. On February 7, 1934, the steamer *Maiden Creek* sighted the *White* in distress off Cape Fear in high winds and heavy snow. This was the beginning of the end of her career spanning almost 17 years.

The appendix of the book includes General Dimensions and Construction Specifications which are interesting. The keel as specified was of oak and gum, 14" square with an 8" shoe. The sistered frames and floor timbers are sided 8" and the floors are 14" in the molded dimension. Hull planking, as well as main deck plank, was 4" thick. Several additional documents are reproduced such as machinery specifications, memorandum of Sails, contracts and a list of the ship's stores.

Sea, Sails and Shipwreck makes a worthwhile addition to a nautical library.

United States Frigate "Constellation"

LEON D. POLLAND

BOOK NOTES

Da Capo Press of New York is continuing to reprint standard works, and several of these relate to the era of the American Revolution: *Parliamentary Privilege in the American Colonies*. By Mary Patterson Clarke. (Pp. xi, 303. \$12.95. [first published in 1943], 1971); *Rebels and Democrats*. By Elisha P. Douglass. (Pp. xiv, 368. \$12.95. [published originally in 1955], 1971); *The American Revolution In Its Political and Military Aspects, 1763-1783*. By Eric Robson. (Pp. ix, 254. \$12.00. [published first in 1955], 1972); *The Operations of the French Fleet Under the Count De Grasse in 1781-1782 As Described in Two Contemporary Journals*. Edited by J. G. Shea. (Pp. x, 216. \$12.50. [first printed in 1864], 1971). Of broader relevance is *Constitutional Development in the South Atlantic States, 1776-1860*. By Fletcher M. Green. (Pp. xiv, 328. \$12.00. [originally published in 1930], 1971). Green's volume contains a brief account of Maryland's constitutional "Revolution of 1836."

The Pennsylvania Historical and Museum Commission in 1971 reprinted *The Counter-Revolution in Pennsylvania, 1776-1790*. By Robert L. Brunhouse. (Pp. viii, 368. \$5.00. [originally printed in 1942]). Dealing with the political development of Pennsylvania as a new state in a new nation, Brunhouse discusses the conflicts between the "radical" and "conservative" factions.

Tombstone Inscriptions of Southern Anne Arundel County. Compiled by Marlborough Town Chapter, N.S.D.A.R. (Upper Marlboro, Md.: The Chapter, 1971. Pp. 443. \$12.00.) Originally the intention of the Chapter was to compile a list of tombstone inscriptions in Prince George's County, but since this had been done, they listed those in the lower portion of Anne Arundel County—from Annapolis south. There is a fine index containing 5,000 names, and the book will be of great value to genealogists. [P. W. Filby]

In the past three or four years the Genealogical Publishing Company has attempted to assist libraries and individuals by reprinting the outstanding Maryland county histories. Three have recently been printed: *History of Allegany County*. By James W. Thomas and Judge T. J. C. Williams. 2 vols. (Baltimore, 1969. Pp. 1290. \$50.00); *History of Western Maryland*. . . . By John T. Scharf. 2 vols. (Baltimore, 1968. Pp. 1560. \$50.00.); *A History of Washington County*. . . . By Thomas J. C. Williams. 2 vols. (Baltimore, 1968. Pp. 1347. \$50.00.) *Allegany County* was originally written in 1923, *Western Maryland* in 1882, and *Washington County* in 1906. All are therefore somewhat out of date and the indexes were poorly done; all need updating, and although the publishers have encouraged revisions, none has been attempted. Nevertheless, these reprints are welcomed by the many who were faced with secondhand copies priced at well over \$100 a set.

The company has also reprinted *Anne Arundel and Howard Counties* (Warfield), \$15.00; *Frederick County* (Williams & McKinsey), 2 vols., \$50.00; *Montgomery County* (Boyd), \$7.50; *Old Kent* (Hanson), \$12.50; *Old Somerset* (Torrence), \$12.50; *Talbot County* (Tilghman), 2 vols., \$25.00. Tradition Press has published *The History of Maryland* (Scharf), 3 vols., with new index, \$55.00. The secondhand cost of all the above would probably amount to \$900; these reprints total just over \$300. [P. W. Filby]

In an age when genealogy and heraldry are major pursuits of much of America's public, three books published by Tuttle will be very welcome and useful: *The Story of Titles*. By L. G. Pine. (Rutland, Vt., 1970. Pp. 176, \$4.75); *A Glossary of Terms Used in Heraldry*. By James Parker. (Rutland, Vt., 1970. Pp. xxxii, 659. \$7.50); and *Armorial Families. A Directory of Gentlemen of Coat-Armor*. Compiled and ed. by Arthur C. Fox-Davies. (Rutland, Vt., 1970. 2 vols. Pp. xl, 2192. \$35.00.) Pine, for some years editor of *Burke's Peerage*, explains very simply the evolution of titles throughout the world against the historical background of the countries concerned. Parker's *Glossary* is a reprint of the new edition published in 1894. It is sometimes referred to as Gough and Parker because Henry Gough had much to do with the first edition. It is easily the best glossary of heraldry available to scholars and researchers, and it is almost half the price of another reprint issued in 1966. Fox-Davies's *Armorial Families* is a reprint of the 7th (and last) edition published in 1929. It is one of the most authoritative works ever to be published on heraldry, and as such is required reading for all who are involved with heraldry. At \$35.00 it is still exceptionally cheap. [P. W. Filby]

Records of the Columbia Historical Society of Washington, D. C., 1969-1970. Ed. with an introduction by Francis C. Rosenberger. (Washington, D. C.: Columbia Historical Society, 1971. Pp. xxxv, 570. \$15.00.) In this, the 47th volume of the Records of the Columbia Historical Society, the editor has brought together many interesting and well-written articles concerning the District. The volume will greatly interest its members—not always the case with society publications—and the range of subjects represented will attract many other readers. The author and the Society are to be congratulated on continuing the series so ably and efficiently. [P. W. Filby]

An attractive and unusual volume has recently been printed by the Philip Freneau Press of Monmouth Beach, New Jersey: *The Hessian View of America, 1776-1783*. By Ernest Kipping. (Pp. 48. \$7.95. 1971.) This volume surveys the opinions and views of the colonies in rebellion as revealed through the letters and diaries of Hessian soldiers. Contemporary illustrations heighten the effect of this quarto volume which is larger than its pagination suggests.

The History of Meyersville. By Ira C. Moser, 1905, and Thomas Rose and Charles S. Martin, 1971. (Meyersville, Md.: Meyersville Volunteer Fire Company, Inc., 1971. Pp. vi, 147. \$5.00.) This reprint of Moser's *History* has an addition updating the history of the village to the present. It should prove most interesting to the residents of Meyersville. However, it glosses over the broader aspects of the village and area. The authors neglect the Loyalists, Casper Fritchie, Yost Plecker, Peter Suemann, *et al.*, but devote eighteen pages to rather poor colloquial poetry which, although it may relate a historical incident—admittedly with humor at times—could have been told in a sentence or two of prose. The church histories, by far the best part of the book, would have been enhanced by the inclusion of lists of the original members. [Mary K. Meyer]

NOTES AND QUERIES

LIBRARY HOURS

The Library of the Society is open Tuesday through Saturday, 9 A.M. to 4:30 P.M. It is not open on Sunday or Monday. It will be closed for some of the public holidays, most of which are on Mondays. Other days it will not be open are:

Tuesday, July 4

Saturday, September 2

Thursday, November 23

Saturday, December 23

Saturday, December 30

Independence Day

Weekend of Labor Day

Thanksgiving Day

Weekend of Christmas

Weekend of New Year

By Council decision of March 8, 1972, a charge of \$1 will be made to ALL non-members using the library and manuscripts. Reader's tickets costing \$7.50 are available, giving readers the privilege of using the library for one year.

P. William Filby
Director

NEW MARYLAND FOLKLORE SOCIETY ELECTS OFFICERS, BOARD, ANNOUNCES CONFERENCE

The newly-formed Maryland Folklore Society has elected for its first year Paul W. Dowell of Salisbury as president, Gust Skordas of Annapolis as vice-president, and George A. Simpson of Bethesda as Treasurer. The new secretary is Mary K. Meyer of Baltimore.

Dowell, professor of folklore at Salisbury State College, currently is preparing a book based on his field research on the Eastern Shore. Skordas, Assistant Maryland State Archivist, has edited, authored, and co-authored a number of articles and books on Maryland history. Simpson was chairman of the gubernatorial Study Commission on Maryland Folklife. Mrs. Meyer, who is with the Maryland Historical Society, is active also in the Anne Arundel County Historical Society.

Also elected to the Society's executive board are E. W. Beitzell of Abell, author of *Life on the Potomac River*; Michael I. Holmes of Bethesda, publisher and editor of *Mugwamps Instrument Herald*; Frank Mentzen of Thurmont, superintendent of Catoctin Mountain Park, and three folklore professors from the University of Maryland at College Park, Esther K. Birdsall, Gladys-Marie Frye, and Frank Goodwyn.

The society also announced that it co-sponsored with the Pennsylvania Folklore Society this year's Middle States Conference on Folk Culture, held for the first time outside Pennsylvania. The conference was scheduled for all day, Saturday, April 22, in the recital hall, Tawes Fine Arts Center, at the University of Maryland, College Park. The morning session was devoted to Maryland and the afternoon session to regional folklore societies.

AMERICAN ANTIQUARIAN SOCIETY

The library of the American Antiquarian Society is undergoing construction and renovation which make it necessary to curtail services to the scholarly community. As things are now scheduled by architect and contractor, this unfortunately shall come during this summer, the peak period for our readers. Anyone planning to do research at the American Antiquarian Society should call ahead, 617-755-5221, before coming. The Society appreciates your cooperation.

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THE PAPERS OF BENJAMIN HENRY LATROBE
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The Papers of Benjamin Henry Latrobe is searching for the correspondence (both from and to), other manuscript writings, published works, watercolors, sketches, and architectural drawings and plans of the great American architect for inclusion in a complete microfilm edition and a selective letterpress edition of his works. Persons or institutions owning or knowing the whereabouts of Latrobe works may write to Edward C. Carter II, Editor in Chief, The Papers of Benjamin Henry Latrobe, Maryland Historical Society, 201 West Monument Street, Baltimore, Maryland 21201.

COLONIAL TOOLS

The Darnall Museum is interested in obtaining colonial tools, 17th century. Long term loan, donation, or possible purchase. Contact Dorothy Glidden at the Maryland Historical Society.

Information Wanted:

As a researcher and author, I shall greatly appreciate receiving information on the life and works of a 19th century American painter, George W. Conarroe.

Adeline Pepper
430 W. 7th St.
Plainfield, N.J. 07060

Anyone having information on Ulick Burke born 1690 died May 5, 1761; Nicholas Ryland who married Mary Burke daughter of Ulick; settled in Baltimore County. Burke or Ryland family info. appreciated. Contact Lawrence E. Stubbs, 16408 Henry Drive, Gaithersburg, Md. 20760

The undersigned is seeking information for a study on Cecil County, Maryland, during the American Revolution. Any material contributed relating to this subject—with particular interest in family history and social change—would be greatly appreciated.

Paul David Knowles, Jr.
Washington College
Chestertown, Md. 21620

Information wanted, for a paper on "Lafayette and the Maryland Agricultural Society: 1824," concerning pieces of silver (excepting the Kirk "Lafayette goblets," the Warner Williamson spoon, and the Bosley "Lafayette tankard") bearing an inscription similar to "1824, by the Agricultural Society, through the hands of Lafayette."

Please write to Mrs. Charles Julian Bishko
9 Orchard Road
Charlottesville, Virginia 22901

Wanted information on the Williams family, and to know if the genealogy of Judge Jeremiah Williams of Colonial Calvert County, Maryland has been published. If so, I would like to have it checked to see if it has the names of his children, wife, and parents in it.

Mrs. W. O. Richey
Box 291
Boyce, Louisiana 71409

Wanted a picture of old "Harmony Hall" located near the southeast corner of route 2 and 255 near West River Post Office, Anne Arundel County, Maryland, which stood on part of the "Hickory Hills" tract and was the home of William Richardson, b. 1767- d. 1824, who was the brother of John Thomas Richardson of "Hickory Hills," Please contact:

Mrs. Milton Murray
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This book traces the Virginia history of the above families in detail with a "Footnotes" and "Authority Section" following each family. Hundreds of other families are sketched. Most of this history is heretofore unpublished. There are 405 pages of text and 108 pages containing 132 pictures. The pictures are numerous: houses, photographic and oil portraits, old maps and insurance policies. Some of the originals are now lost to posterity. Several of the old houses are illustrated by drawings, as they no longer exist. This book, the work of 25 years, should not be missed by a member of the above families or by anyone interested in the history of Tidewater Virginia. The book is hard cover bound, in dark blue with gold lettering. There are full tables of contents and illustrations, and an index of nearly seven thousand names.

Because of the large amount of documented material and illustrations, the book will increase in value with the years. Order your copy now. The cost will probably increase in the future.

Cover: Henry Winter Davis (1817-1865). Photo in Baltimore: Past and Present (1871). Maryland Historical Society



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- Maryland: A Students' Guide to Localized History.* By Harold R. Manakee, 1968 . . . \$ 1.50
The War of 1812 On The Chesapeake Bay. Illustrated paperback. By Gilbert Byron, 1964 \$ 2.00
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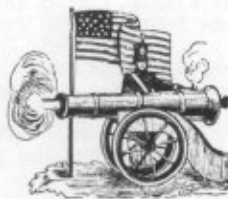
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